

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT
AGENDA

DATE: MONDAY, DECEMBER 2, 2013
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILWOMAN ANDREA SCASSA
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 145 – 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

Pass 9-0
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with H.J. Heinz Company to provide a Municipal Job Creation Tax Credit Agreement to assist the company in expanding its operations in Massillon, and declaring an emergency.

ORDINANCE NO. 146 – 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

Pass 9-0
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 147 – 2013

BY: PARKS AND RECREATION COMMITTEE

Pass 8-1 (Hampton)
AN ORDINANCE approving the various fees and charges for the Massillon Parks and Recreation Department for the year 2014, and declaring an emergency.

ORDINANCE NO. 148 – 2013

BY: PUBLIC UTILITIES COMMITTEE

1st Reading
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes part of The Legends Golf Course property with a requested lease area from the City of Massillon of 9.77 acres, and declaring an emergency.

ORDINANCE NO. 149 – 2013

BY: PUBLIC UTILITIES COMMITTEE

1st Reading
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes the property known as Shriver Park, with a requested lease area from the City of Massillon of 5.40 acres, and declaring an emergency.

ORDINANCE NO. 150 – 2013

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund and the Local Law Enforcement Trust Fund, for the year ending December 31, 2013, and declaring an emergency.

ORDINANCE NO. 151 – 2013

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE reducing the appropriations in the Police Pension Fund, Enterprise Zone Monitoring Fund, ADR Fund, Massillon Museum Fund and the Fire Damage Structure Fund, for the year ending December 31, 2013, and declaring an emergency.

ORDINANCE NO. 152 – 2013

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain transfers in the 2013 appropriations from within the General Fund, for the year ending December 31, 2013, and declaring an emergency.

ORDINANCE NO. 153 – 2013

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Auditor to pay various 2013 bills that have been received and that will be received by her office between January 1, 2014 and March 31, 2014, out of the 2014 appropriations within the various departments of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 154 – 2013

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE establishing the blanket purchase order amount for the fiscal year 2014 not to exceed Fifteen Thousand Dollars (\$15,000.00) for all departments with the exception of the 2101 Wastewater Treatment Fund within the City of Massillon, and declaring an emergency.

ORDINANCE NO. 155 – 2013

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with The Health Plan for health insurance coverage for City employees for the 2014 calendar year, and declaring an emergency.

RESOLUTION NO. 16 – 2013

BY: FINANCE COMMITTEE

1ST READING

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of real estate taxes for the 2014 fiscal year.

RESOLUTION NO. 17 – 2013

BY: FINANCE COMMITTEE

1ST READING

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of 75% of the estate and inheritance taxes for the 2014 fiscal year.

RESOLUTION NO. 18 – 2013

BY: FINANCE COMMITTEE

1ST READING

A RESOLUTION authorizing the Auditor to convert a prior period advance outstanding from 2008 for \$105,000.00 from the Income Tax Capital Improvement Fund (1401) to the Parks and Recreation Fund (1204) to a transfer.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM AMHERST T N A LTD DBA AMHERST T N A 921 AMHERST RD NE MASSILLON OH 44646 TO REMAS LLC DBA AFFINITY DRIVE THRU 921 AMHERST RD NE MASSILLON OH 44646

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). AUDITOR SUBMITS MONTHLY REPORT FOR NOVEMBER 2013

B). TREASURER SUBMITS MONTHLY REPORT FOR OCTOBER 2013

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 132 – 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a purchase agreement between the City of Massillon and the Community Improvement Corporation of Massillon, Inc., for the sale of real estate located on the southeast corner of the intersection of Tremont Avenue SE and Hess Blvd SE, upon approval of the Board of Control.

ORDINANCE NO. 134 – 2013

BY: POLICE AND FIRE COMMITTEE

2ND READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sell the 1989 Ford F350 Ambulance to the Fire Department Rehab Unit (FDRU), which is no longer needed for any municipal purposes, and declaring an emergency.

ORDINANCE NO. 136 – 2013

BY: PUBLIC UTILITIES COMMITTEE

2ND READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Everflow Eastern Partners LP., for 8.10 acres of real estate owned by the City of Massillon, and declaring an emergency.

ORDINANCE NO. 137 – 2013

BY: PUBLIC UTILITIES COMMITTEE

2ND READING
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Everflow Eastern Partners LP., for 10.65 acres of real estate owned by the City of Massillon, and declaring an emergency.

ORDINANCE NO. 138 – 2013

BY: RULES, COURTS AND CIVIL SERVICE

PASS 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a participation agreement with the Ohio AFSCME Care Plan for vision insurance coverage for City employees, and declaring an emergency.

ORDINANCE NO. 139 – 2013

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

2ND READING
AN ORDINANCE vacating a portion of an unnamed, unimproved 10 foot wide alley located between Cherry Road NE and Andrew Avenue NE, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL

DATE DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 145 - 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with H.J. Heinz Company to provide a Municipal Job Creation Tax Credit Agreement to assist the company in expanding its operations in Massillon, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, H.J. Heinz Company desires to expand its operations at 1301 Oberlin Road SW, and

WHEREAS, the City of Massillon proposed to assist H.J. Heinz Company in expanding its operations by providing a Municipal Job Creation Tax Credit, for the purpose of which is to help with the company expanding its operations in Massillon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT

Section 1:

This Council hereby authorizes the Mayor to enter into an agreement with H.J. Heinz Company, providing a Municipal Job Creation Tax Credit Agreement for the purpose of which is to help with the company expanding its operations in Massillon. H.J. Heinz Company intends to expand operations at the 1301 Oberlin Road SW facility by investing Five Million Dollars (\$5,000,000.00) in building improvements and Twenty-Three Million Dollars (\$23,000,000.00) in machinery and equipment.

Section 2:

Pursuant to Ohio Revised Code Section 122.17, H.J. Heinz Company has been awarded a refundable Job Creation Tax Credit from the State of Ohio Development Services Agency for the creation of 249 new full time job opportunities. The Ohio Revised Code in Section 718.15 authorizes the City of Massillon by ordinance to grant a similar refundable tax credit to any company creating new jobs in Ohio that has received a Job Creation Tax Credit by the State of Ohio. H.J. Heinz Company plans to have the 249 new full time manufacturing jobs in place by December 31, 2016. The annual payroll for the new jobs is estimated at Five Million Six Hundred Ninety-Nine Thousand Dollars (\$5,699,000.00).

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the health, safety, and welfare of the community and for the additional reason that it is necessary to improve the economic climate of the community through the expansion of business and employment opportunities. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2013

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL TONY M. TOWNSEND, PRESIDENT

ATTEST: _____
KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 146 - 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon. The contract for services shall not exceed Fifteen Thousand Dollars (\$15,000.00).

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio. The contract period will be from January 1, 2014 to December 31, 2014.

Section 3:

Upon delivery of the aforesaid agreement, the Mayor is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for said agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 4:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 5:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is needed to assist the City of Massillon in its Housing Rehabilitation Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO=PERRY, MAYOR

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 147 - 2013

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE approving the various fees and charges for the Massillon Parks and Recreation Department for the year 2014, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines that it is necessary to approve the various fees and charges for the Massillon Parks and Recreation Department for the year 2014.

Section 2:

It is hereby determined that the following various fees and charges for the Massillon Parks and Recreation Department for the year 2014 is hereby approved and accepted by this Council.

(SEE ATTACHED FEE SCHEDULE INCORPORATED AS IF FULLY REWRITTEN HEREIN).

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that said various fees and charges are necessary for the efficient operation of the Parks and Recreation Department needs to be in effect for the start of the 2014 calendar year. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

2nd page is the signature page

The Parks and Recreation Department is requesting approval of membership rate increases for 2014 as follows:

Proposed 2014 Recreation Center Membership Rates Increase

Membership Packages	Regular Rates	Individual Adult	Increase	Sr. Adult 60+	Increase	Youth 15-18	Increase	Youth 14-Apr	Increase
Continuous Renewal		\$256/\$64	\$285/\$71.25	\$126/\$31.50	\$140/\$35	\$142/\$35.50	\$160/\$40	\$129/\$32.25	\$145/\$36.25
Annual New		\$265/\$66.25	\$295/\$73.75	\$135/\$33.75	\$150/\$37.50	\$151/\$37.75	\$170/\$42.50	\$138/\$34.50	\$155/\$38.75
3-Month Pass		\$106.00		\$54		\$60		\$55	
Massillon Taxpayer	Regular Rates	Individual Adult	Increase	Sr. Adult 60+	Increase	Youth 15-18	Increase	Youth 14-Apr	Increase
Continuous Renewal		\$157/\$39.25	\$175/\$43.75	\$81/\$20.25	\$90/\$22.50	\$95/\$23.75	\$105/\$26.50	\$76/\$19	\$85/\$21.25
Annual New		\$166/\$41.50	\$185/\$46.25	\$85/\$21.25	\$95/\$23.75	\$99/\$24.75	\$110/\$27.50	\$85/\$21.25	\$95/\$23.75
3-Month Pass		\$65		\$34		\$40		\$34	

Regular Rates	Family up to 4	Increase	Add'l Child	Increase	Married Couple	Increase
Continuous Renewal	\$484/\$121	\$550/\$137.50	\$44/\$11	\$50/\$12.50	\$365/\$91.25	\$415/\$103.75
Annual New	\$506/\$126.50	\$575/\$143.75	\$49/\$12.25	\$55/\$13.75	\$383/\$95.75	\$435/\$108.75
3-Month Pass	\$202		\$20		\$154	
Massillon Taxpayer	Family up to 4	Increase	Add'l Child	Increase	Married Couple	Increase
Continuous Renewal	\$304/\$76	\$345/\$86.25	\$29/\$7.25	\$33/\$8.25	\$229/\$57.25	\$260/\$65
Annual New	\$322/\$80.50	\$365/\$91.25	\$31/\$7.75	\$35/\$8.75	\$242/\$60.50	\$275/\$68.75
3-Month Pass	\$129		\$13		\$97	

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 148 - 2013

BY: PUBLIC UTILITIES COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes part of The Legends Golf Course property with a requested lease area from the City of Massillon of 9.77 acres, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes part of The Legends Golf Course property with a requested lease area from the City of Massillon of 9.77 acres. The well is known as Young Unit I and is located off of Richville Drive. The lease was originally signed by the City of Massillon in June of 2008 with Range Resources. Enervest has obtained the lease from Range Resources and is proposing several changes in the lease agreement. Enervest is offering a lease extension of five (5) years with a signing bonus of Nine Thousand Seven Hundred Seventy Dollars (\$9,770.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to sign an amendment and extension of an existing Oil and Gas Lease with Enervest for 9.77 acres of real estate owned by the City of Massillon. A copy of the amendment and extension lease and map is attached hereto as Exhibit "A".

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the amendment and extension lease be signed. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

**AMENDMENT AND EXTENSION OF NON SURFACE DEVELOPMENT OIL
AND GAS LEASE PAID-UP**

RG341517658

WHEREAS, The City of Massillon, Ohio, of 151 Lincoln Way East, Massillon, Ohio 44646, ("Lessor") granted to Range Resources-Appalachia, LLC, of 125 State Route 43, P.O. Box 550, Hartville, Ohio 44632, ("Lessee") a Non-Surface Development Oil and Gas Lease dated June 18, 2008 covering 9.77 acres, more or less, situated as portion of Permanent Parcel Number 07-80048, in Part of Out Lot 869, Perry Township, Stark County, Ohio, said lease being for a term of Five (5) years and being recorded in the official records of said county and state at Instrument Number 200808050035292 and,

WHEREAS, said lease is now owned by EnerVest Energy Institutional Fund XI-A, L.P., 37.1561%, and EnerVest Energy Institutional Fund XI-WI, L.P., 16.6939% and CGAS Properties, L.P., 46.1500% and,

WHEREAS, it is the desire of said Lessor is to extend the term of said lease and any extensions thereof for a period of Five (5) year(s).

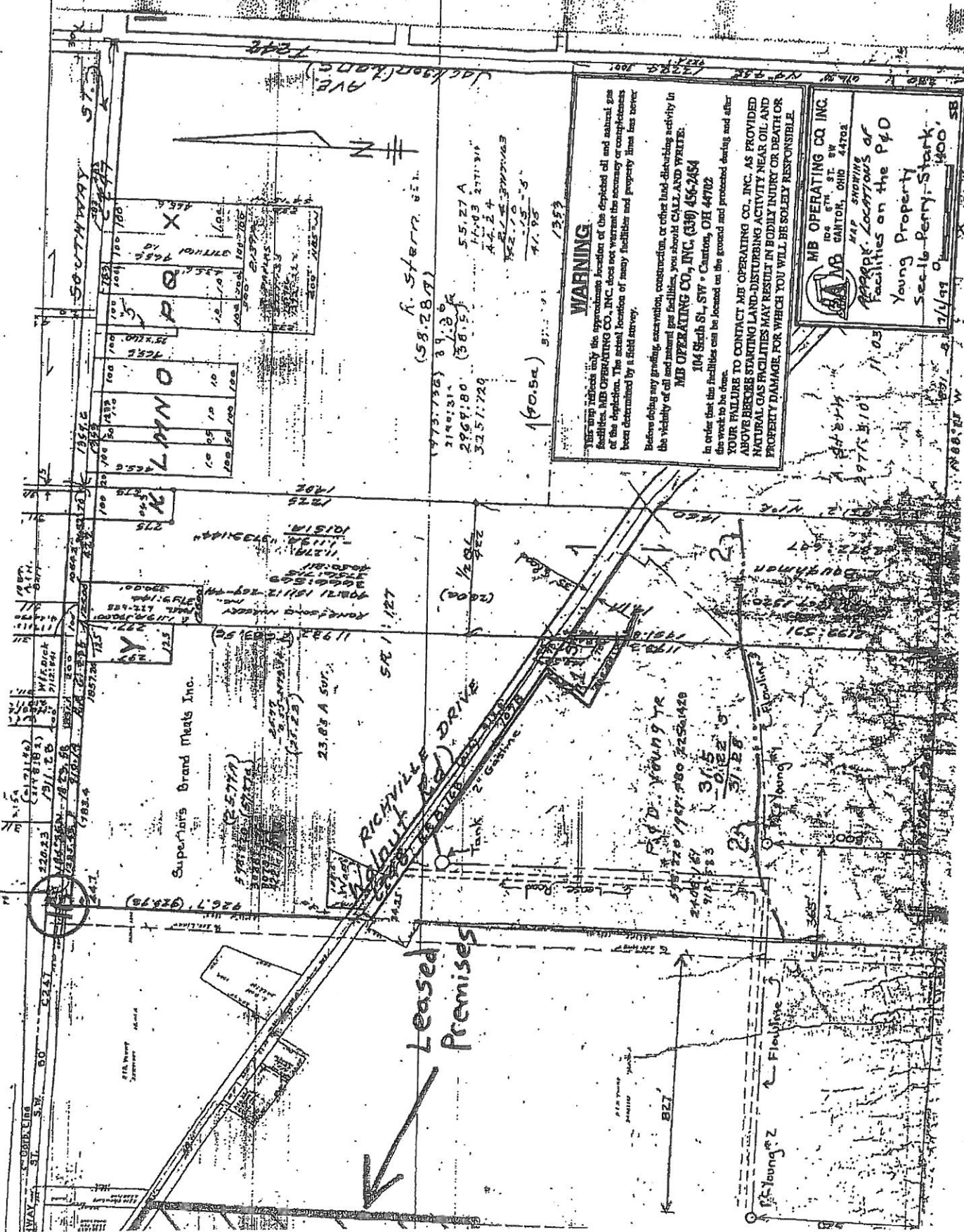
NOW, THEREFORE, BE IT KNOWN that, in consideration of One Dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned Lessor do hereby extend the expiration date of said lease and any extensions thereof for Five (5) year(s) from the effective date of June 18, 2013 to June 18, 2018, and so much longer thereafter as oil or gas or their constituents shall be found on the premises in paying quantities in the judgment of the Lessee, or as the premises shall be operated by the Lessee in the search for oil or gas.

The amount of the signing bonus, as stipulated in paragraph nine (9) in the original Non-Surface Development Oil and Gas Lease, is amended to Nine Thousand Seven Hundred Seventy Dollars (\$9,770.00). This is a Paid-Up Amendment and Extension of Non-Surface Development Oil and Gas Lease. There shall be no requirement to pay delay rentals for the extended period cited in this agreement. Payment for this Amendment and Extension of Non-Surface Development Oil and Gas lease shall be made within Sixty (60) days of the signing of this agreement.

The following changes to the original Oil and Gas Lease dated June 18, 2008 are hereby amended as follows:

- Paragraph 1: The maximum unit size, as stipulated in paragraph one (1) in the original Oil and Gas Lease, is amended as follows: "If the well is classified as a horizontal oil or gas well drilled to any geological formations containing a horizontal component of the drainhole in the target formation whether oil or gas, then the maximum size of the pooled production unit shall not exceed six hundred, forty (640) contiguous acres. Production units for vertical wells shall not exceed one hundred and sixty (160) acres." All other terms and conditions in paragraph one (1) remain the same.

Instr: 200808050035292
 P: 3 of 3 F: \$36.00 08/05/2008
 Rick Campbell 10:38AM LERS
 Stark County Recorder T200808029966



WARNING

This map indicates only the approximate location of the depicted oil and natural gas facilities. MB OPERATING CO, INC. does not warrant the accuracy or completeness of the depiction. The actual location of many facilities and property lines has never been determined by a field survey.

Before doing any grading, excavation, construction or other land-disturbing activity in the vicinity of oil and natural gas facilities, you should CALL AND WRITE:

MB OPERATING CO, INC. (330) 456-2454
 104 South St. SW • Canton, OH 44702

In order that the facilities can be located on the ground and protected during and after the work to be done.

YOUR FAILURE TO CONTACT MB OPERATING CO, INC. AS PROVIDED ABOVE BEFORE STARTING LAND-DISTURBING ACTIVITY NEAR OIL AND NATURAL GAS FACILITIES MAY RESULT IN BODILY INJURY OR DEATH OR PROPERTY DAMAGE, FOR WHICH YOU WILL BE SOLELY RESPONSIBLE.

MB OPERATING CO INC.
 104 S. ST. SW
 CANTON, OH 44702

MAP SHOWING
APPROX. LOCATIONS OF
FACILITIES ON THE P&D
Young Property
 See 16 Perry-Stark
 400' 1400'

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 149 - 2013

BY: PUBLIC UTILITIES COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes the property known as Shriver Park, with a requested lease area from the City of Massillon of 5.40 acres; and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes the property known as Shriver Park, with a requested lease area from the City of Massillon of 5.40 acres. The well is known as Draime Unit I and is to be drilled on property owned by Russell Draime on Erie Street South. The lease was originally signed by the City of Massillon in June of 2008 with Range Resources. Enervest has obtained the lease from Range Resources and is proposing several changes in the lease agreement. Enervest is offering a lease extension of five (5) years with a signing bonus of Five Thousand Four Hundred Dollars (\$5,400.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to sign an amendment and extension of an existing Oil and Gas Lease with Enervest for 5.40 acres of real estate owned by the City of Massillon. A copy of the amendment and extension lease and map is attached hereto as Exhibit "A".

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the amendment and extension lease be signed. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

**AMENDMENT AND EXTENSION OF NON SURFACE DEVELOPMENT OIL AND
GAS LEASE PAID-UP**

RG341517659

WHEREAS, The City of Massillon, Ohio, of 151 Lincoln Way East, Massillon, Ohio 44646, ("Lessor") granted to Range Resources-Appalachia, LLC, of 125 State Route 43, P.O. Box 550, Hartsville, Ohio 44632, ("Lessee") a Non-Surface Development Oil and Gas Lease dated June 18, 2008 covering 5.40 acres, more or less, situated at Permanent Parcel Number 06-80195, in Part of Out Lot 154, Perry Township, Stark County, Ohio, said lease being for a term of Five (5) years and being recorded in the official records of said county and state at Instrument Number 200808050035293 and,

WHEREAS, said lease is now owned by EnerVest Energy Institutional Fund XI-A, L.P., 37.1561%, and EnerVest Energy Institutional Fund XI-WI, L.P., 16.6939% and CGAS Properties, L.P., 46.1500% and,

WHEREAS, it is the desire of said Lessor is to extend the term of said lease and any extensions thereof for a period of Five (5) year(s).

NOW, THEREFORE, BE IT KNOWN that, in consideration of One Dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned Lessor do hereby extend the expiration date of said lease and any extensions thereof for Five (5) year(s) from the effective date of June 18, 2013 to June 18, 2018, and so much longer thereafter as oil or gas or their constituents shall be found on the premises in paying quantities in the judgment of the Lessee, or as the premises shall be operated by the Lessee in the search for oil or gas.

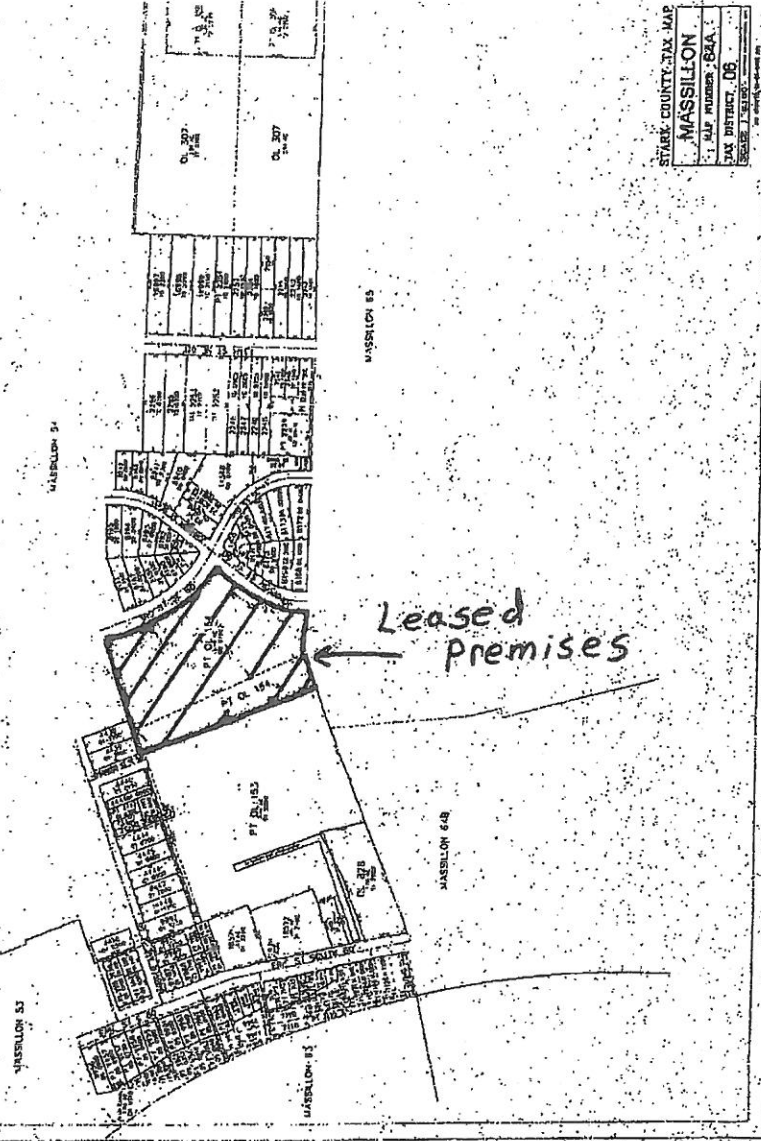
The amount of the signing bonus, as stipulated in paragraph nine (9) in the original Non-Surface Development Oil and Gas Lease, is amended to Five Thousand Four Hundred Dollars (\$5,400.00). This is a Paid-Up Amendment and Extension of Non-Surface Development Oil and Gas Lease. There shall be no requirement to pay delay rentals for the extended period cited in this agreement. Payment for this Amendment and Extension of Non-Surface Development Oil and Gas lease shall be made within Sixty (60) days of the signing of this agreement.

The following changes to the original Oil and Gas Lease dated June 18, 2008 are hereby amended as follows:

- Paragraph 1: The maximum unit size, as stipulated in paragraph one (1) in the original Oil and Gas Lease, is amended as follows: "If the well is classified as a horizontal oil or gas well drilled to any geological formations containing a horizontal component of the drainhole in the target formation whether oil or gas, then the maximum size of the pooled production unit shall not exceed six hundred, forty (640) contiguous acres. Production units for vertical wells shall not exceed one hundred and sixty (160) acres." All other terms and conditions in paragraph one (1) remain the same.

STARK COUNTY TAX MAP
 MASSILLON
 1st DISTRICT, 08
 1st DISTRICT, 08

MASSILLON 64A



Instr: 200808050835283
 P: 3 of 3 F: \$36.88 08/05/2008
 Rick Campbell 18:00MLRS
 Stark County Recorder 720080029988

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO.150 – 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund and the Local Law Enforcement Trust Fund, for the year ending December 31, 2013, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the General Fund, for the year ending December 31, 2013, the following:

\$165,502.74 to an account entitled "Street Lighting" 1100.905.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Local Law Enforcement Trust Fund, for the year ending December 31, 2013, the following:

\$2,000.00 to an account entitled "Supplies/Materials/Postage" 1215.305.2410

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 151 - 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the Police Pension Fund, Enterprise Zone Monitoring Fund, ADR Fund, Massillon Museum Fund and the Fire Damage Structure Fund, for the year ending December 31, 2013, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The appropriations are hereby reduced in the Police Pension Fund, for the year ending December 31, 2013, as follows:

\$96,341.24 from an account entitled "Police Pension" 1209.305.2240

Section 2:

The appropriations are hereby reduced in the Enterprise Zone Monitoring Fund, for the year ending December 31, 2013, as follows:

\$6,673.45 from an account entitled "Salary – Enterprise Zone" 1241.845.2110

\$ 934.28 from an account entitled "PERS" 1241.845.2230

\$ 99.12 from an account entitled "Medicare" 1241.845.2231

\$ 558.35 from an account entitled "Workers Compensation" 1241.845.2270

Section 3:

The appropriations are hereby reduced in the ADR Fund, for the year ending December 31, 2013, as follows:

\$1,806.44 from an account entitled "Workers Compensation" 1242.125.2270

\$1,585.00 from an account entitled "Supplies/Materials/Postage" 1242.125.2410

\$ 958.56 from an account entitled "Salary – Mediator" 1242.125.2110

\$ 600.00 from an account entitled "PERS – Mediator" 1242.125.2230

\$ 50.00 from an account entitled "Medicare – ADR" 1242.125.2231

Section 4:

The appropriations are hereby reduced in the Massillon Museum Fund, for the year ending December 31, 2013, as follows:

\$2,935.48 from an account entitled "Massillon Museum Holding Acct" 3110.905.2379
\$1,264.23 from an account entitled "Fees" 3110.905.2393

Section 5:

The appropriations are hereby reduced in the Fire Damage Structure Fund, for the year ending December 31, 2013, as follows:

\$1,000.00 from an account entitled "Fire Damage Structures" 3107.905.2390

Section 6:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 7:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community and for the additional reason that the appropriation needs to be reduced because of an audit procedure. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 152 - 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2013 appropriations from within the General Fund, for the year ending December 31, 2013, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is transferred from the 2013 appropriation from within the General Fund, for the year ending December 31, 2013, the following:

FROM:	Transfer – Debt Retire	1100.905.2712	\$54,001.28
	Advance Out	1100.905.2752	\$15,000.00
	Cty/State Collection Fees	1100.905.2393	\$ 6,063.74
	Travel/Seminar/Schooling	1100.405.2389	\$ 4,925.04
	PERS – Street	1100.435.2230	\$ 3,599.11
	Workers Compensation	1100.905.2270	\$ 3,055.88
	Hosp/Eye/Den/Pres/Life – Fire	1100.325.2210	\$ 3,046.20
	Annexation Fees	1100.905.2721	\$ 2,375.33
	Accumulated Sick Leave	1100.905.2110	\$ 1,608.64
	PERS – Income Tax	1100.210.2230	\$ 1,600.00
	Ohio Municipal League	1100.905.2394	\$ 62.00
	Funeral Expenses	1100.325.2391	\$ 500.00
	Bank Charges	1100.905.2396	\$ 500.00
	Medicare – Income Tax	1100.210.2231	\$ 400.00
	Medicare – Law Director	1100.115.2231	\$ 400.00
	PERS – Domestic Violence	1100.116.2230	\$ 290.00
	Medicare – Council	1100.105.2231	\$ 200.00
	Workers Compensation	1100.116.2270	\$ 110.54
	Medicare – Street	1100.435.2231	\$ 52.66
	Refunds	1100.905.2720	\$ 8.43

TO	SC Revenue Sharing	1100.210.2720	\$43,697.39
	Street Lighting	1100.905.2392	\$38,497.26
	Uniform Allowance – Police	1100.305.2280	\$ 7,974.20
	Salary – Building	1100.415.2110	\$ 3,500.00
	Hosp/Eye/Den/Pres/Life – Street	1100.435.2210	\$ 1,400.00
	Salary – Health Dept.	1100.705.2110	\$ 1,375.00
	PERS – Health	1100.705.2230	\$ 1,125.00
	PERS – Mayor	1100.110.2230	\$ 130.00
	PERS – Building Dept.	1100.415.2230	\$ 100.00

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the funds are required in the specific accounts to pay city obligations by the end of 2013. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 153 - 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay various 2013 bills that have been received and that will be received by her office between January 1, 2014 and March 31, 2014, out of the 2014 appropriations within the various departments of the City of Massillon, Ohio, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby finds it necessary to authorize the City Auditor to pay various 2013 bills that have been received and that will be received by her office between January 1, 2014 and March 31, 2014, out of the 2014 appropriations within the various departments of the City of Massillon, Ohio,

Section 2:

The City Auditor is hereby authorized and directed to pay various 2013 bills that have been received and that will be received by her office between January 1, 2014 and March 31, 2014, out of the 2014 appropriations within the various departments of the City of Massillon, Ohio.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to pay various 2013 bills that will be submitted to the City Auditors office between January 1, 2014 and March 31, 2014, and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

2nd pg is the signature pg.

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 154 - 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing the blanket purchase order amount for the fiscal year 2014 not to exceed Fifteen Thousand Dollars (\$15,000.00) for all departments with the exception of the 2101 Wastewater Treatment Fund within the City of Massillon, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary establishing the blanket purchase order amount for the fiscal year 2014 not to exceed Fifteen Thousand Dollars (\$15,000.00) for all departments with the exception of the 2101 Wastewater Treatment Fund within the City of Massillon.

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason establishing a blanket purchase amount for the fiscal year 2014 will enable the efficient operations of the various city departments with the exception of the 2101 Wastewater Treatment Fund in the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 155 - 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with The Health Plan for health insurance coverage for City employees for the 2014 calendar year, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to enter into contract with The Health Plan for health insurance coverage for City employees for the 2014 calendar year.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into contract with The Health Plan for health insurance coverage for City employees for the 2014 calendar year.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to enter into contract with The Health Plan for health insurance coverage for City employees for the 2014 calendar year. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



EXHIBIT G
EMPLOYER GROUP ELIGIBILITY RULES

The Plan will permit changes to these eligibility rules only at the renewal date of the Group Service Agreement (GSA). The administrative procedures for group member enrollments/terminations for the duration of this GSA are based on the following:

Total # of Full-Time Employees: _____		Total # of Eligible Employees: _____		Total # of Covered Employees: _____	
Total # of Part-Time Employees: _____		(as defined by Medicare Secondary Payer (MSP) specifications, see "Agreement" section letter "i" for additional information).			
New Hire Probationary Period:		<input type="checkbox"/> 30 days <input type="checkbox"/> 60 days <input type="checkbox"/> 90 days <input type="checkbox"/> 1 st of following month <input type="checkbox"/> Other (explain):			
Eligibility for Benefits: <input type="checkbox"/> 25 Hours <input type="checkbox"/> Other (attach policy)		Pursuant to the Ohio Revised Code, health insurance carrier must consider an employee that works a minimum of 25 hours a week eligible for coverage <i>unless the Employer has a policy stating otherwise and agreed to by the Plan.</i> See "Agreement" section letter "b" for additional eligibility information.			
Terminations:		<input type="checkbox"/> Date of Event <input type="checkbox"/> End of Month <input type="checkbox"/> Other (explain): Note: The Plan will retroactively terminate a member (at the request of an Employer) only if there were no claims paid after the requested termination date, and in any case no greater than 60 days. If claims were paid after the requested termination date, termination will occur on the last paid claim date <u>or</u> the above termination policy date, whichever is later.			
Marriage:		<input type="checkbox"/> Date of Event			
Divorces:		<input type="checkbox"/> Date of Event <input type="checkbox"/> End of Month			
Dependent Age Cut-off:		<input type="checkbox"/> to 26 <input type="checkbox"/> 26 to 28 (Ohio Employers as outlined by Ohio HB1)			
New Born/Adoptions:		Date of Event			
Layoffs/Recalls:		Layoffs: Date of Event Recalls: Date of Event <input type="checkbox"/> Other (explain):			
HIPAA Loss of Coverage:		First of the following month, upon the Plan's receipt of the completed enrollment information.			
HIPAA Family Status Change:		Date of event, upon the Plan's receipt of the completed enrollment information.			
Federal COBRA Continuation Coverage (20 or more employees, see "Agreement" section letter "m" for more information): State Continuation Coverage "Mini-COBRA" (19 or less employees, see "Agreement" section letter "n" for more information):		<input type="checkbox"/> Yes <input type="checkbox"/> No Administrator: <input type="checkbox"/> In-House <input type="checkbox"/> Other, Name: _____ <input type="checkbox"/> Yes <input type="checkbox"/> No			
Sick Leave Event:		<input type="checkbox"/> Yes <input type="checkbox"/> No Note: If you have a specific written policy in place please attach. If you do not, see "Agreement" section letter "o" will prevail.			
Section 125:		<input type="checkbox"/> Yes <input type="checkbox"/> No			
FMLA Qualified 50+ Employees:		<input type="checkbox"/> Yes <input type="checkbox"/> No Note: If you have a specific written policy in place please attach. If you do not, see "Agreement" section letter "o" will prevail.			
Workers' Comp Event:					
Employer Name:			Group #:		
Group Administrator (signature):			Date:		
Title:			Contract Dates:		

AGREEMENT:

- a. **Administration.** The Employer agrees to provide the Plan with a list of all employees and retirees who are eligible for coverage under this Employer Master Application (Application) and the effective date of coverage for each employee and his/her dependents. Employer also agrees to provide the Plan with the effective date of any change in each employee's coverage including the effective date of any termination in coverage of an employee or dependent. Employer agrees to provide any other information that may be reasonably required by the Plan to administer this Agreement in a timely manner.
- b. **Eligibility.** Employer agrees to make the Plan group coverage available to all present and future eligible employees. Each employee must satisfy all eligibility requirements stated in this Application and in the Evidence of Coverage (Member Handbook) before coverage becomes effective. Only full-time employees and their dependents are eligible for coverage under this Application, any variation to this must be agreed to by the Plan. Rehires and employees changing from part-time to full-time status must complete the new hire probationary period unless otherwise agreed to by the Plan. If the Employer has a probation or waiting period during which a new employee may not enroll, or the subscriber is adding a newly acquired dependent, the Plan must receive a properly completed enrollment form on or before the coverage effective date. Enrollment requests received after the tenth (10th) of the month, in which coverage is to become effective, will have an effective date of the first (1st) of the following month (unless specified differently by the Employer and agreed to by the Plan).
- c. **Waiver of Coverage.** Any employee who waives coverage at the time of the initial Plan offering (or upon initial eligibility) for him/herself or dependents must complete a Waiver of Coverage stating the reason for declining coverage.
- d. **Special Enrollment.** If eligible for Special Enrollment, employees or dependents may enroll immediately without waiting until the Employer's next open enrollment period or satisfying the Employer's waiting period requirements, if any. If the employee completed a Waiver of Coverage declining coverage at the time of initial eligibility because of coverage under another group health plan or other health insurance coverage, and the employee or dependent subsequently lost this coverage for the reasons stated in the Plan Evidence of Coverage, the employee or dependent may be eligible for Special Enrollment.
- e. **Participation.** Employer must have at least ten (10) employees enrolled with the Plan if a dual choice with another carrier. A minimum of 50% of the eligible employees must participate in the medical plan. The Plan, at any time, may require a group to submit support documentation to assure minimum participation requirements are met and to verify eligibility.
- f. **Late Enrollment.** Employees or dependents who do not enroll in the Plan at their initial eligibility, will only be allowed to enroll during the Employer's next open enrollment period unless the employee or dependent is eligible for Special Enrollment.
- g. **Contribution.** Employer agrees to contribute at least 75% of the cost of the single premium, or 50% of the cost for all tiers, for all employees covered by the Plan. Employer also agrees to contribute the same percentage toward the cost of employee healthcare provided by the Plan that Employer contributes towards the cost of employee healthcare provided by other carriers, up to the amount of the entire Plan premium.
- h. **Waiting Period.** The Plan will follow Employer's service waiting period if any. A properly completed enrollment form must be received by the Plan on or before the effective date of coverage. Enrollment requests received after the tenth (10th) of the month in which coverage is to become effective will have an effective date of the first (1st) of the following month (unless specified differently by the Employer and agreed to by the Plan).
- i. **Premium Payments.** Employer agrees to pay premiums when due to the Plan.
- j. **Type of Coverage.** Employer agrees to promptly furnish the Plan the name of each employee to be covered and all the information necessary to determine the employee's type of coverage.
- k. **Agreement.** This Application and Agreement shall be made a part of the Master Group Policy between the Plan and the Employer. Coverage under this Application shall not be effective until it is approved by the Plan.
- l. **Medicare Secondary Payer (MSP).** The working aged MSP provision applies only to GHPs (Group Health Plans) of Employers with 20 or more employees and to multi-Employer and multiple Employer GHPs in which at least one Employer employs 20 or more employees. This requirement is met if an Employer has 20 or more full-time and/or part-time employees for each working day in each of 20 or more calendar weeks in the current or preceding year. An Employer is considered to have 20 or more employees for each working day of a particular week if the employer has at least 20 full-time or part-time employees on its employment rolls each working day of that week. This condition is met as long as the total number of individuals on the Employer's rolls adds up to at least 20 regardless of the number of employees who work or who are expected to report for work on a particular day. Self-employed individuals participating in a GHP are not counted as employees for purposes of determining if the 20-or-more employee requirement is met. An individual is considered to be on the employment rolls even if the employee does not work on a particular day. An Employer may not have different employment rolls for different days reflecting those scheduled.

Where an Employer does not have 20 or more employees in the preceding year, it is required to offer its employees and spouses age 65 or over primary coverage beginning with the point in time at which the Employer has had 20 or more employees on each working day of 20 calendar weeks of the current year. The Employer is then required to offer primary coverage for the remainder of that year and throughout the following year even if the number of employees drops below 20 after the Employer has met the requirement.

The 20-or-more employees requirement must be met at the time the individual receives the services for which Medicare benefits are claimed. If at that time the Employer has met the 20-or-more employees requirement in the current year or in the preceding calendar year, the GHP is primary payer. An Employer that meets this requirement must provide primary coverage even if less than 20 employees participate in the GHP.

Employers and their employees are required to give certain reporting information to the Plan as mandated by section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA Section 111). Failure to do so could cause suspension of claims processing and monetary penalties assessed by MSP.

- m. **Federal COBRA Continuation Coverage.** All Employers who had 20 or more employees on 50% of its typical business days during the preceding calendar year must comply with Federal COBRA. The only exceptions are the Federal Government and certain Church plans.

For 20 or more employees, these must include full-time, owners, officers or part-time regardless of their eligibility for the group health plan.

- n. **State Continuation Coverage "Mini-COBRA".** If an Employer has 19 or less employees, those employees (providing the employee was involuntarily terminated) receive continuation coverage under the state continuation law rather than the federal law.

Small Employer means, in connection with a group health benefit plan and with respect to a calendar year and a plan year, an Employer who employed an average of at least two (2) but no more than 19 eligible employees on business days during the preceding calendar year and who employs at least two (2) employees on the first (1st) day of the plan year.

- o. **Family Medical Leave Act of 1993.** Commonly referred to as FMLA, this Act requires private Employers with 50 or more employees to provide up to 12 weeks per year of unpaid family and medical leave to an eligible employee. Eligible employees for FMLA are only those that take leave for the birth, adoption or placement in foster care of a child; the care of a seriously ill child, spouse or parent; or the employee's own serious illness. Additionally, an eligible employee is only one that has been employed by the same Employer for at least 12 months (the 12 months do not have to be consecutive months) and the eligible employee must have worked at least 1,250 hours during the 12 months immediately preceding the leave.

The Employer group may continue active group coverage for Health Plan enrollees for the 12 week duration of FMLA provided that the employee pays his/her share of the monthly premium. Failure to do so would result in loss of active group coverage.

If the eligible FMLA employee does not return to work after they have exhausted their 12 weeks of FMLA, The Health Plan will expect a termination of active group coverage for the affected FMLA employee and their affected dependents.

COBRA. If the group is subject to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), the affected FMLA employee (whose 12 weeks leave exhausted), should be terminated and offered a COBRA conversion by the group. If COBRA is elected, affected employees' and any participating dependents' coverage would be reinstated/continued from the last day of FMLA status. That means that COBRA coverage would be effective the first (1st) day of the 13th week provided the individual and/or dependents elect COBRA during the COBRA election period.

Health Plan Direct Pay/Conversion. If the group is not subject to COBRA, the affected FMLA employee (whose 12 weeks have exhausted) should be terminated from active group coverage. At such time, The Health Plan will offer the affected enrollee and any participating dependents coverage in the Health Plan Direct Pay/Conversion Plan.

Note: Should the eligible FMLA employee return to work before their 12 weeks have exhausted, they simply remain in the active group coverage.

Some Employers may provide for some "paid" medical leave. In these instances, FMLA (for those that are eligible) begins when initial leave begins. For example, an Employer provides for four (4) weeks paid medical leave. An FMLA eligible employee goes out on paid medical leave July 1. His/her FMLA begins July 1, with the first four (4) weeks paid leave and the last eight (8) weeks are unpaid leave. Their FMLA period ends September 22.

Non-Eligible FMLA Employee. Some Employers/employees may not meet the FMLA eligibility requirements. For those with Health Plan coverage, the following policy will apply.

Paid Leave. For those Health Plan enrollees on paid medical leave of absence, The Health Plan will recognize active group coverage for the period of paid medical leave, not to exceed 12 weeks. At the end of the 12 weeks, termination from active group coverage shall occur. Affected enrollees and any participating dependents shall have COBRA and/or Direct Pay/Conversion available (depending on group size). Active group coverage shall be reinstated upon employee's return from paid medical leave.

Unpaid Leave. Employees going on unpaid leave and not FMLA eligible, shall be terminated from active group coverage on date of leave and shall have COBRA and/or Direct Pay/Conversion coverage available (depending on group size). Active group coverage shall be reinstated upon employee's return from leave and satisfaction of the groups' new hire probation period.

Workers' Compensation. Some Employers who provide medical coverage to their employees may not be permitted to cancel coverage of the injured employee during the time the employee is claiming or receiving temporary total disability benefits. If the Employer requires a monthly contribution by the employee for health care coverage, then the employee (on Workers' Compensation) must continue to make the contribution required to maintain coverage.

However, if the health care coverage is provided through an Erisa plan, then Erisa may pre-empt applicable state Workers' Compensation statutes and termination of coverage may be determined according to the Erisa plan.

- p. **Insurance Fraud Warning Statute:** Any person who, with intent to defraud or knowing that he or she is facilitating a fraud against an insurer, submits an application, or files a claim containing a false or deceptive statement is guilty of insurance fraud. Any misrepresentation could lead to termination of the group contract.

I hereby certify that I have reviewed the above information and it is true and accurate to the best of my knowledge. I understand and agree that the information on this Application and any other information I have provided, or will provide, shall serve as the basis for the policy to be issued and that I have a duty to notify the Plan of any changes. I further agree to be bound by the terms of this Application.

Employer Representative's Name (Please print) Title

Employer Representative's Signature Date

BROKER INFORMATION AND STATEMENT

I understand that I have no right to bind this coverage, to alter terms of the Agreement or Application in any manner, or to adjust any claim for benefits under the Agreement.

Writing Broker's Name: _____ License #: _____
(Please print)

By (Writing Broker's Signature): _____ Date: _____



**Employer Master Application,
51+ Eligible Lives**

Administrative Offices:

St. Clairsville:
52160 National Rd. East
St. Clairsville, OH 43950
(740) 695-3585
Toll Free 1 (800) 624-6961

Massillon:
100 Lillian Gish Blvd.
P.O. Box 4816
Massillon, OH 44648
(330) 834-2200
Toll Free 1 (877) 236-2289

The Employer named below applies to become an Employer Group under the policy(ies) issued by THP Insurance Company (the Plan). Before signing this application, read carefully and complete all areas. Please type.

Renewal Date

1-1-14

Name of Business City of Massillon	Nature of Business (be specific) Municipality	Federal Tax I.D. # 34-6001829
Street Address 151 Lincoln Way E	City Massillon	State OH
Mailing Address (if different) Same	Contact Person Al Hennon	Zip Code 44646
Phone # 330-830-1702	Fax #	Email Address
Billing Information (if different) Address Same	Contact Person Al Hennon	
Phone # 330-830-1702	Fax #	Email Address

Employer's Contribution for:

Employer _____ %

Dependent(s) _____ %

List Medical Plan(s) Selected:

PPO 80/15 / \$250 ded

List Rider(s) Selected:

15/25/40 U

Is this a multi-Employer group health plan? ¹ Yes _____ No **X**

If yes, does any participating Employer employ (including part-time) less than 20 employees Yes _____ No _____ or more than 100

Yes _____ No _____. Has the Employer filed a Small Employer Exception (SEE) with CMS/Medicare on behalf of any employee(s)? ²

Yes _____ No _____. If yes, please list the name of the employee(s):

Sponsor Type: Employer _____ Union _____ Trustee of a Fund _____ Other _____

Organization Type: State Government _____ Local Government _____ Publicly Traded _____ Privately Held _____ Church Group _____ Other _____

¹Multi-Employer group health plan is any trust, plan association or any other arrangement made by one or more Employers to contribute, sponsor, directly provide health benefits, or facilitate directly or indirectly the acquisition of health insurance by an Employer. If such facilitation exists, the Employer is considered to be a participant in a multi-Employer GHP even if it has a separate contract with an insurer.

²Small (fewer than 20 full-time and/or part-time employees) Employer exception is a request by a multi-Employer GHP to CMS for an exception(s) to the Working-Aged MSP rules.

Note: Contract renewals are subject to mandatory requirements as outlined in Federal and State laws.



EXHIBIT G
EMPLOYER GROUP ELIGIBILITY RULES

The Plan will permit changes to these eligibility rules only at the renewal date of the Group Service Agreement (GSA). The administrative procedures for group member enrollments/terminations for the duration of this GSA are based on the following:

Total # of Full-Time Employees: _____		Total # of Eligible Employees: _____		Total # of Covered Employees: _____	
Total # of Part-Time Employees: _____		(as defined by Medicare Secondary Payer (MSP) specifications, see "Agreement" section letter "j" for additional information).			
New Hire Probationary Period:		<input type="checkbox"/> 30 days <input type="checkbox"/> 60 days <input type="checkbox"/> 90 days <input type="checkbox"/> 1 st of following month <input type="checkbox"/> Other (explain):			
Eligibility for Benefits: <input checked="" type="checkbox"/> 25 Hours <input type="checkbox"/> Other (attach policy)		Pursuant to the Ohio Revised Code, health insurance carrier must consider an employee that works a minimum of 25 hours a week eligible for coverage <i>unless the Employer has a policy stating otherwise and agreed to by the Plan.</i> See "Agreement" section letter "b" for additional eligibility information.			
Terminations:		<input type="checkbox"/> Date of Event <input type="checkbox"/> End of Month <input type="checkbox"/> Other (explain): Note: The Plan will retroactively terminate a member (at the request of an Employer) only if there were no claims paid after the requested termination date, and in any case no greater than 60 days. If claims were paid after the requested termination date, termination will occur on the last paid claim date or the above termination policy date, whichever is later.			
Marriage:		<input type="checkbox"/> Date of Event <input type="checkbox"/> Other (explain):			
Divorces:		<input type="checkbox"/> Date of Event <input type="checkbox"/> End of Month			
Dependent Age Cut-off:		<input type="checkbox"/> to 26 <input type="checkbox"/> 26 to 28 (Ohio Employer as outlined by Ohio HB1)			
New Born/Adoptions:		Date of Event			
Layoffs/Recalls:		Layoffs: Date of Event Recalls: Date of Event <input type="checkbox"/> Other (Explain):			
HIPAA Loss of Coverage:		First of the following month, upon the Plan's receipt of the completed enrollment information.			
HIPAA Family Status Change:		Date of event, upon the Plan's receipt of the completed enrollment information.			
Federal COBRA Continuation Coverage (20 or more employees, see "Agreement" section letter "m" for more information): State Continuation Coverage "Mini-COBRA" (19 or less employees, see "Agreement" section letter "n" for more information):		<input type="checkbox"/> Yes <input type="checkbox"/> No Administrator: <input type="checkbox"/> In-House <input type="checkbox"/> Other, Name: _____ <input type="checkbox"/> Yes <input type="checkbox"/> No			
Sick Leave Event:		<input type="checkbox"/> Yes <input type="checkbox"/> No Note: If you have a specific written policy in place please attach. If you do not, see "Agreement" section letter "o" will prevail.			
Section 125:		<input type="checkbox"/> Yes <input type="checkbox"/> No			
FMLA Qualified 50+ Employees:		<input type="checkbox"/> Yes <input type="checkbox"/> No Note: If you have a specific written policy in place please attach. If you do not, see "Agreement" section letter "o" will prevail.			
Workers' Comp Event:					
Employer Name:			Group #:		
Group Administrator (signature):			Date:		
Title:			Contract Dates:		

AGREEMENT:

- a. **Administration.** The Employer agrees to provide the Plan with a list of all employees and retirees who are eligible for coverage under this Employer Master Application (Application) and the effective date of coverage for each employee and his/her dependents. Employer also agrees to provide the Plan with the effective date of any change in each employee's coverage including the effective date of any termination in coverage of an employee or dependent. Employer agrees to provide any other information that may be reasonably required by the Plan to administer this Agreement in a timely manner.
- b. **Eligibility.** Employer agrees to make the Plan group coverage available to all present and future eligible employees. Each employee must satisfy all eligibility requirements stated in this Application and in the Certificate of Insurance (Member Handbook) before coverage becomes effective. Only full-time employees and their dependents are eligible for coverage under this Application, any variation to this must be agreed to by the Plan. Rehires and employees changing from part-time to full-time status must complete the new hire probationary period unless otherwise agreed to by the Plan. If the Employer has a probation or waiting period during which a new employee may not enroll, or the subscriber is adding a newly acquired dependent, the Plan must receive a properly completed enrollment form on or before the coverage effective date. Enrollment requests received after the tenth (10th) of the month, in which coverage is to become effective, will have an effective date of the first (1st) of the following month (unless specified differently by the Employer and agreed to by the Plan).
- c. **Waiver of Coverage.** Any employee who waives coverage at the time of the initial Plan offering (or upon initial eligibility) for him/herself or dependents must complete a Waiver of Coverage stating the reason for declining coverage.
- d. **Special Enrollment.** If eligible for Special Enrollment, employees or dependents may enroll immediately without satisfying the Employer's waiting period requirements, if any. If the employee completed a Waiver of Coverage declining coverage at the time of initial eligibility because of coverage under another group health plan or other health insurance coverage, and the employee or dependent subsequently lost this coverage for the reasons stated in the Member Handbook, the employee or dependent may be eligible for Special Enrollment.
- e. **Participation.** Employer must have at least ten (10) employees enrolled with the Plan if a dual choice with another carrier. A minimum of 50% of the eligible employees must participate in the medical plan.
- f. **Pre-Existing Condition Limitations.** If you receive a diagnosis, medical advice, or medical care for an illness or injury during the six (6) months prior to your effective date, you may be subject to a pre-existing condition limitation. The Plan, at any time, may require a group to submit support documentation to assure minimum participation requirements are being met and to verify eligibility.

If you have a pre-existing condition, benefits may not be payable for that condition until you have met the pre-existing condition exclusion period as follows.

Individuals enrolling at the time of their initial eligibility or within 31 days of a Qualifying Event, 12 months of continuous coverage under this Certificate.

The period of time that coverage is excluded for the pre-existing condition will be shortened by the number of months you were covered under another health care plan that provided you with a Certificate of Creditable Coverage, or other evidence of prior coverage. You must not have had a break between your prior coverage and coverage under this Certificate of more than 63 days, or your prior coverage will not count toward shortening the pre-existing condition exclusion period.

Note: Effective October 1, 2010, pre-existing condition exclusions for dependent children (under 19 years of age) are prohibited.
- g. **Contribution.** Employer agrees to contribute at least 75% of the cost of the single premium, or 50% of the cost for all tiers, for all employees covered by the Plan. Employer also agrees to contribute the same percentage toward the cost of employee healthcare provided by the Plan that Employer contributes towards the cost of employee healthcare provided by other carriers, up to the amount of the entire Plan premium.
- h. **Waiting Period.** The Plan will follow Employer's service waiting period if any. A properly completed enrollment form must be received by the Plan on or before the effective date of coverage. Enrollment requests received after the tenth (10th) of the month in which coverage is to become effective will have an effective date of the first (1st) of the following month (unless specified differently by the Employer and agreed to by the Plan).
- i. **Premium Payments.** Employer agrees to pay premiums when due to the Plan.
- j. **Type of Coverage.** Employer agrees to promptly furnish the Plan the name of each employee to be covered and all the information necessary to determine the employee's type of coverage.
- k. **Agreement.** This Application and Agreement shall be made a part of the Master Group Policy between the Plan and the Employer. Coverage under this Application shall not be effective until it is approved by the Plan.

- l. **Medicare Secondary Payer (MSP).** The working aged MSP provision applies only to GHPs (Group Health Plans) of Employers with 20 or more employees and to multi-Employer and multiple Employer GHPs in which at least one (1) Employer employs 20 or more employees. This requirement is met if an Employer has 20 or more full-time and/or part-time employees for each working day in each of 20 or more calendar-weeks in the current or preceding year. An Employer is considered to have 20 or more employees for each working day of a particular week if the Employer has at least 20 full-time or part-time employees on its employment rolls each working day of that week. This condition is met as long as the total number of individuals on the Employer's rolls adds up to at least 20 regardless of the number of employees who work or who are expected to report for work on a particular day. Self-employed individuals participating in a GHP are not counted as employees for purposes of determining if the 20-or-more employee requirement is met. An individual is considered to be on the employment rolls even if the employee does not work on a particular day. An Employer may not have different employment rolls for different days reflecting those scheduled.

Where an Employer does not have 20 or more employees in the preceding year, it is required to offer its employees and spouses age 65 or over primary coverage beginning with the point in time at which the Employer has had 20 or more employees on each working day of 20 calendar weeks of the current year. The Employer is then required to offer primary coverage for the remainder of that year and throughout the following year even if the number of employees drops below 20 after the Employer has met the requirement.

The 20-or-more employees requirement must be met at the time the individual receives the services for which Medicare benefits are claimed. If at that time the Employer has met the 20-or-more employees requirement in the current year or in the preceding calendar year, the GHP is primary. An Employer that meets this requirement must provide primary coverage even if less than 20 employees participate in the GHP.

Employers and their employees are required to give certain reporting information to the Plan as mandated by section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA Section 111). Failure to do so could cause suspension of claims processing and monetary penalties assessed by MSP.

- m. **Federal COBRA Continuation Coverage.** All Employers who had 20 or more employees on 50% of its typical business days during the preceding calendar year must comply with Federal COBRA. The only exceptions are the Federal Government and certain Church plans.

For 20 or more employees, these must include full-time, owners, officers or part-time regardless of their eligibility for the group health plan.

- n. **State Continuation Coverage "Mini-COBRA".** If an Employer has 19 or less employees, those employees (providing the employee was involuntarily terminated) receive continuation coverage under the state continuation law rather than the federal law.

Small Employer means, in connection with a group health benefit plan and with respect to a calendar year and a plan year, an Employer who employed an average of at least two but no more than 19 eligible employees on business days during the preceding calendar year and who employs at least two (2) employees on the first (1st) day of the plan year.

- o. **Family Medical Leave Act of 1993.** Commonly referred to as FMLA, this Act requires private Employers with 50 or more employees to provide up to 12 weeks per year of unpaid family and medical leave to an *eligible* employee. Eligible employees for FMLA are only those that take leave for the birth, adoption or placement in foster care of a child; the care of a seriously ill child, spouse or parent; or the employee's own serious illness. Additionally, an eligible employee is only one that has been employed by the same Employer for at least 12 months (the 12 months do not have to be consecutive months) and the eligible employee must have worked at least 1,250 hours during the 12 months immediately preceding the leave.

The Employer group may continue active group coverage for Health Plan enrollees for the 12 week duration of FMLA provided that the employee pays his/her share of the monthly premium. Failure to do so would result in loss of active group coverage.

If the eligible FMLA employee does not return to work after they have exhausted their 12 weeks of FMLA, The Health Plan will expect a termination of active group coverage for the affected FMLA employee and their affected dependents.

COBRA. If the group is subject to the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), the affected FMLA employee (whose 12 weeks leave exhausted), should be terminated and offered a COBRA conversion by the group. If COBRA is elected, affected employees' and any participating dependents' coverage would be reinstated/continued from the last day of FMLA status. That means that COBRA coverage would be effective the first (1st) day of the 13th week provided the individual and/or dependents elect COBRA during the COBRA election period.

Health Plan Direct Pay/Conversion. If the group is not subject to COBRA, the affected FMLA employee (whose 12 weeks have exhausted) should be terminated from active group coverage. At such time, The Health Plan will offer the affected enrollee and any participating dependents coverage in the Health Plan Direct Pay/Conversion Plan.

Note: Should the eligible FMLA employee return to work before their 12 weeks have exhausted, they simply remain in the active group coverage.

Some Employers may provide for some "paid" medical leave. In these instances, FMLA (for those that are eligible) begins when initial leave begins. For example, an Employer provides for four (4) weeks paid medical leave. An FMLA eligible employee goes out on paid medical leave July 1. His/her FMLA begins July 1, with the first four (4) weeks paid leave and the last eight (8) weeks are unpaid leave. Their FMLA period ends September 22.

RENEWAL

Non-Eligible FMLA Employee. Some Employers/employees may not meet the FMLA eligibility requirements. For those with Health Plan coverage, the following policy will apply.

Paid Leave. For those Health Plan enrollees on paid medical leave of absence, The Health Plan will recognize active group coverage for the period of paid medical leave, not to exceed 12 weeks. At the end of the 12 weeks, termination from active group coverage shall occur. Affected enrollees and any participating dependents shall have COBRA and/or Direct Pay/Conversion available (depending on group size). Active group coverage shall be reinstated upon employee's return from paid medical leave.

Unpaid Leave. Employees going on unpaid leave and not FMLA eligible, shall be terminated from active group coverage on date of leave and shall have COBRA and/or Direct Pay/Conversion coverage available (depending on group size). Active group coverage shall be reinstated upon employee's return from leave and satisfaction of the groups' new hire probation period.

Workers' Compensation. Some Employers who provide medical coverage to their employees may not be permitted to cancel coverage of the injured employee during the time the employee is claiming or receiving temporary total disability benefits. If the Employer requires a monthly contribution by the employee for health care coverage, then the employee (on Workers' Compensation) must continue to make the contribution required to maintain coverage.

However, if the health care coverage is provided through an Erisa plan, then Erisa may pre-empt applicable state Workers' Compensation statutes and termination of coverage may be determined according to the Erisa plan.

- p. **Insurance Fraud Warning Statute:** Any person who, with intent to defraud or knowing that he or she is facilitating a fraud against an insurer, submits an application, or files a claim containing a false or deceptive statement is guilty of insurance fraud. Any misrepresentation could lead to termination of the group contract.

I hereby certify that I have reviewed the above information and it is true and accurate to the best of my knowledge. I understand and agree that the information on this Application and any other information I have provided, or will provide, shall serve as the basis for the policy to be issued and that I have a duty to notify the Plan of any changes. I further agree to be bound by the terms of this Application.

Employer Representative's Name (Please print) Title

Employer Representative's Signature Date

BROKER INFORMATION AND STATEMENT

I understand that I have no right to bind this coverage, to alter terms of the Agreement or Application in any manner, or to adjust any claim for benefits under the Agreement.

Writing Broker's Name: (Please print) License #:

By (Writing Broker's Signature): Date:

DATED: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 16 - 2013

BY: FINANCE COMMITTEE

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of real estate taxes for the 2014 fiscal year.

WHEREAS, Ohio Revised Code Section 321.34 provides that a municipality may request by Resolution an advance payment from the County of real estate taxes that the County collects on behalf of the municipality, and

WHEREAS, the legislative authority of the City of Massillon has deemed it necessary to request such advance payment, and

WHEREAS, the legislative authority of the City of Massillon has determined such request is necessary at this time.

Now, therefore, it is hereby resolved that the legislative authority of the City of Massillon hereby request an advance payment of the real estate taxes assessed and collected for the 2014 fiscal year, as permitted by Ohio Revised Code Section 321.34.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2013.

ATTEST: _____
MARY BETH BAILEY,
CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATED: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 17 - 2013

BY: FINANCE COMMITTEE

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of 75% of the estate and inheritance taxes for the 2014 fiscal year.

WHEREAS, Ohio Revised Code Section 321.34 provides that a municipality may request by Resolution an advance payment from the County of 75% of the estate and inheritance taxes that the County collects on behalf of the municipality, and

WHEREAS, the legislative authority of the City of Massillon has deemed it necessary to request such advance payment, and

WHEREAS, the legislative authority of the City of Massillon has determined such request is necessary at this time.

Now, therefore, it is hereby resolved that the legislative authority of the City of Massillon hereby request an advance payment of the 75% of the estate and inheritance taxes collected for the 2014 fiscal year, as permitted by Ohio Revised Code Section 321.34.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2013.

ATTEST: _____
MARY BETH BAILEY,
CLERK OF COUNCIL

TONY M. TOWNSEND., PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY., MAYOR

DATE: DECEMBER 2, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS.

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 18 - 2013

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION authorizing the Auditor to convert a prior period advance outstanding from 2008 for \$105,000.00 from the Income Tax Capital Improvement Fund (1401) to the Parks and Recreation Fund (1204) to a transfer.

WHEREAS, the Auditor will convert a prior period advance outstanding from 2008 for \$105,000.00 from the Income Tax Capital Improvement Fund (1401) to the Parks and Recreation Fund (1204) to a transfer.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, COUNTY OF STARK AND STATE OF OHIO, THAT;

RESOLVED, that a prior period advance outstanding from 2008 for \$105,000.00 from the Income Tax Capital Improvement Fund (1401) to the Parks and Recreation Fund (1204) be converted to a transfer.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED _____

KATHY CATAZARO-PERRY, MAYOR