

The Board of Lake Township Trustees met at 6:15 p.m. for the purpose of conducting a Public Hearing for the consideration of a possible nuisance situation at 916 Camelia Street NW, 3126 Pleasant Street NW, and 3000 Raymond Street, NW, and following in regular session with the following members present:

- Ellis Erb, President
- Galen Stoll, Vice President
- John Arnold, Member (arrived late)

Also Present:

- |                             |                  |
|-----------------------------|------------------|
| Ben Sommers, Fiscal Officer | Joy Dingman      |
| Sam Miller                  | Kristi Gray      |
| Tom Renner                  | Mary Ann Kannam  |
| Don Hensley                 | Sgt. Terry Curry |
| Susan Leonatti              | Jeremy Wise      |
| Jerry Machamer              | Don Wise         |
| Donna Klettinger            |                  |

Mr. Erb called the meeting to order and opened the Public Hearing at 6:15 p.m. for a possible nuisance at 916 Camelia Street NW, Hartville. The Board reviewed the information and photographs provided by the Zoning Administrator. Mr. Erb called for anyone who would like to speak for/or against this matter, hearing none the board discussed the matter.

07-256 Mr. Erb made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Administrator, the Board has determined that a nuisance **does** exist at 916 Camelia Street NW, Hartville, due to, vegetation (tall grass/weeds).

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will obtain quotes and begin the process to provide for such abatement and/or control. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within seven (7) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail.

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Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

07-257 A resolution was made by Ellis Erb pursuant to the information and photos provided by the Zoning Department the Board determined that the possible nuisance, which consisted of tall grass and vegetation, at 3126 Pleasant Street NW, North Canton, has been abated; therefore the Board dismissed the nuisance complaint. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

07-258 A resolution was made Ellis Erb pursuant to the information and photos provided by the Zoning Department the Board determined that some progress has been made to abate the possible nuisance which consisted of an abandoned/inoperable car and miscellaneous debris piles around the house and accessory building, at 3000 Raymond Street NW, Uniontown, therefore they will give the property owner until the next meeting date to complete the cleanup. The Board instructed the Zoning Administrator, Steve Lacey, to send correspondence to the property owner informing him that he has until August 13, 2007 to clean up and abate said nuisance and that no further extensions shall be given. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

07-259 A resolution was made by Ellis Erb closing the Public Hearing at 6:20 p.m. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

Mr. Erb called the regular meeting of the Board to order at 6:20 p.m.

07-260 A resolution was made by Ellis Erb approving the minutes of July 9, 2007, as submitted. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

07-261 A resolution was made by Ellis Erb authorizing payment of payroll for July 27, 2007, in the amount of \$34,815.27. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

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07-262 A resolution was made by Ellis Erb authorizing payment of payroll for July 31, 2007, in the amount of \$7,663.88. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb            yes  
Galen Stoll        yes

07-263 A resolution was made by Ellis Erb accepting/approving the Financial Report as of July 23, 2007, as submitted by the Lake Township Fiscal Officer. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb            yes  
Galen Stoll        yes

07-264 A resolution was made by Ellis Erb authorizing payment of bills as of July 23, 2007, in the amount of \$46,144.76. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb            yes  
Galen Stoll        yes

- Sgt. Terry Curry, Badge No. 54, Stark County Sherriff's Department: Sgt. Curry addressed the Board regarding the problems with ATV's and what the community can do to address this issue.

### CORRESPONDENCE

1. OTA – Fraud notice from Coshocton County Township
2. Stark Soil & Water Conservation District – newsletter
3. Stark County RPC – Construction Inspection Report (Windgate Allotment)
4. Stark Soil & Water Conservation District – MS4 information session
5. Stark County Commissioners – notice of release of streets in Forest Meadows No. 2
6. Todd Gray – Lake Township Noise Issues
7. Stark County RPC – Notice of Subdivision Review
8. Stark County RPC – August 7, 2007 meeting notice
9. Tracy Goodwin – inquiring about grant availability
10. OTA/CLOUT – legislative updates
11. Stark County Health Department – notice of backflow preventor inspection
12. NEFCO – July Agenda
13. SERB – Health insurance survey
14. OPERS – Employer Notice and Outreach newsletters
15. OTA – request for examples of problems with altering speed limits
16. Jim Parks – condition of yard at 3841 Aylesworth Circle
17. NEFCO – Nimishillen Creek TMDL July 18 meeting with Ohio EPA
18. Stark Soil & Water Conservation District – Site Inspection Reports
19. Lafarge – change to in-bound rail fuel surcharge
20. OPERS – EDEC program
21. Dominion East Ohio – intention to file base rate increase

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**DEPARTMENT REPORTS**

**Police Department**

- None

**Road Department**

- None

**Zoning Department**

- None

**Fire Departments/Fire Prevention Office**

- Board acknowledged receipt of the Uniontown Fire Department June 2007 Statistical Report.
- Hartville Fire Department submitted their June 2007 Statistical Report.

**OLD BUSINESS:**

07-265 A resolution was made be Ellis Erb, whereas, upon consideration of the recommendations submitted by the contract fire departments the Board of Lake Township Trustees authorizes additional legal counsel to prepare the formal resolution and ballot language necessary for the replacement of the 1.0 mill fire levy for the November 2007 ballot. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

07-266 Mr. Erb made the following resolution:

WHEREAS, the Board of Lake Township Trustees, having been informed in writing that canadian thistle & wild carrot are growing on the lands in charge of David and Martha Miller in this township, described as follows: Parcel No. 2204182, Jamestown Ave. NW, Uniontown - northern portion of parcel - Section 8 NE Lake Township.

THEREFORE, BE IT RESOLVED that said David and Martha Miller whose address is unknown, be notified by publishing the following notice in the HARTVILLE NEWS, a newspaper of general circulation in Stark County, Ohio, by one publication that noxious weeds are growing on such lands and that they must be

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cut or destroyed within five (5) days after the publication of such notice or show this Board cause why there is no need for doing so.

PUBLIC NOTICE

The Board of Trustees of Lake Township, Stark County, Ohio, hereby give notice to David and Martha Miller, whose address is unknown, that noxious weeds are growing upon the following described lands in Lake Township: Parcel No. 2204182, Jamestown Ave. NW, Uniontown - northern portion of parcel - Section 8 NE Lake Township.

You are hereby given notice that under Section 5579.05 of the Ohio Revised Code, you must, within five days of this public notice, cut or destroy the weeds or show this Board cause why there is no need for doing so.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb            yes  
Galen Stoll        yes

**NEW BUSINESS:**

07-267 A resolution was made by Ellis Erb authorizing the Board to forward correspondence to the Stark County Regional Planning Commission advising that the Board agrees to waive the requirement to construct temporary turnarounds on the dead end streets of Rimini Avenue and Serravalle Street as shown on The Highland Reserves Final Plat as required under subdivision regulation Article V - Section 520.8.B.2. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb            yes  
Galen Stoll        yes

07-268 A resolution was made by Ellis Erb authorizing the Board to execute the following Road Open Permit:

C-07-17: Dominion East Ohio (tie-in gas service at 2272 Burberry)

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb            yes  
Galen Stoll        yes

07-269 Mr. Erb made the following resolution:

WHEREAS, the Board of Trustees for Lake Township Stark County, Ohio, has appealed an Arbitrator's Award to the Stark County Court of Common Pleas in

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the case of *Board of Trustees of Lake Township, Stark County, Ohio vs. UWUA Local 578*, Case Number 2007CV02382, Judge Heath, and,

WHEREAS, the Lake Township Fiscal Officer has determined that, under the terms and conditions of the union collective bargaining agreement, there is clearly due and undisputed to the Grievant Mark McGuire 8.62 hours of earned but un-paid vacation leave, and;

WHEREAS, the Union and Grievant Mark McGuire, under the terms and conditions of the union collective bargaining agreement, claim that Mark McGuire is entitled to more than 8.62 hours of earned but un-paid vacation leave, and;

WHEREAS, additional legal counsel to the Lake Township Board of Trustees and the Lake Township Fiscal Officer hereby recommend that the undisputed and clearly due and owed 8.62 hours of earned but un-paid vacation leave should be paid to the Grievant Mark McGuire pending a final determination of the Court in the case of *Board of Trustees of Lake Township, Stark County, Ohio vs. UWUA Local 578*, Case Number 2007CV02382, Judge Heath, and;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees for Lake Township Stark County, Ohio, does hereby direct the Lake Township Fiscal Officer to pay the clearly due and undisputed 8.62 hours of earned but un-paid vacation leave to the Grievant Mark McGuire pending a final determination of the Court in the case of *Board of Trustees of Lake Township, Stark County, Ohio vs. UWUA Local 578*, Case Number 2007CV02382, Judge Heath.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

07-270 A resolution was made by Ellis Erb authorizing the Board to execute the 2007/208 enrollment form for BWC Safety Council. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

07-271 A resolution was made by Ellis Erb authorizing the Board to forward correspondence to Alpine Design & Development advising that the Board of Lake Township Trustees has no objection to the installation of concrete walks and curb ramps within the proposed street right-of-ways in Phase I of the Whispering Creek Allotment as demonstrated on the Preliminary Plat dated March 15, 2005, which was provided by

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Mr. Cash on July 20, 2007. However, this approval is contingent upon the developer meeting all of the provisions of the Lake Township's Sidewalk Resolution Nos. 03-449; 06-440; 06-441 and 07-083. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-272 Mr. John Arnold moved to adopt the following resolution:

WHEREAS, the Lake Township Board of Trustees from time to time require misc. supplies, services, and equipment to sustain the operations of the township,

Therefore, be it resolved by the Board of Trustees of Lake Township, Stark County, Ohio, as a gesture to demonstration their unified support and commitment to the community and to the businesses located in Lake Township;

That all township employees will, whenever possible, make every attempt to purchase services, equipment, and / or supplies from the local vendors living and / or doing business in Lake Township.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-273 Mr. Erb made the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Wild Carrot are growing on the lands in charge of Elson J. Hershberger Construction Inc. in this township, described as follows: Parcel No. 2015321, 3822 Aylesworth Cir. NW, Uniontown - Quarter Section 19NW, Lake Township.

THEREFORE BE IT RESOLVED that said Elson J. Hershberger Construction Inc. whose address is 5377 Lauby Rd. NW, North Canton, OH 44720 be notified by serving on him by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

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07-274 Mr. Erb made the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle are growing on the lands in charge of Jessica and Adam Gullace in this township, described as follows: Parcel No. 1905757, Pontius St. NE, Hartville - Quarter Section 1NW, Lake Township.

THEREFORE BE IT RESOLVED that said Jessica and Adam Gullace whose address is 6658 Edison St. NE, Hartville, OH 44632 be notified by serving on him by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-275 Mr. Erb made the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle are growing on the lands in charge of Christopher Dallas in this township, described as follows: Parcel No. 1905785, Congress Lake Ave. NE, Hartville - Quarter Section 1NW, Lake Township.

THEREFORE BE IT RESOLVED that said Christopher Dallas whose address is 7338 St. Georges St. NW, North Canton, OH 44720 be notified by serving on him by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-276 Mr. Erb made the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle are growing on the lands in charge of Congress Lake Company in this township, described as follows: Parcel No. 1905333 and Parcel No. 1905784, Congress Lake Ave. NE, Hartville - Quarter Section 1NW, Lake Township.

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THEREFORE BE IT RESOLVED that said Congress Lake Company whose address is PO Box 370, Hartville, OH 44632 be notified by serving on him by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-277 Mr. Erb made the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle are growing on the lands in charge of Richard Taylor in this township, described as follows: Parcel No. 1905759, Pontius St. NE, Hartville - Quarter Section 1NW, Lake Township.

THEREFORE BE IT RESOLVED that said Richard Taylor whose address is 4226 Hunters Ridge Dr., Ravenna, OH 44266 be notified by serving on him by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-278 A resolution was made by Ellis Erb authorizing a \$1.00 increase in the hourly wage of Road Auxiliary Dan Hall effective July 28, 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

**MEETING REPORTS:**

- None

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**FISCAL OFFICER'S REPORT**

07-279 Mr. Erb made the following resolution:

WHEREAS, O.R.C. 5705.13 provides that a board of township trustees may establish reserve balance accounts to accumulate currently available resources to stabilize budgets against cyclical changes in revenues and expenditures, to provide for payment of claims under self-insurance programs as permitted by law; to provide for payment of claims under a retrospective ratings plan for workers' compensation, for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination or the retirement of officers and employees of the township; and,

WHEREAS, the resolution establishing a reserve balance account shall state the purpose for which the account is established, the fund in which the account is to be established, and the total amount of money to be reserved in the account; and,

WHEREAS, the Board of Trustees for Lake Township Stark County, Ohio, has established a Reserve Fund - Road #14A for such a purpose with the passage of Resolution #06-457 adopted December 26th, 2006,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees for Lake Township Stark County, Ohio authorize the Fiscal Officer of Lake Township to transfer Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) from the Road Fund #4 to the Reserve Fund - Road #14A, which will be transferred after the collection of the 2007 August Real Estate Property Tax Settlement.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- Board acknowledged, pursuant to Resolution # 07-037, the following transfers made by the Fiscal Officer:

\$100,000.00 from 4-A-13 (Other Expenses) to 4-A-8 (Bldg. & Additions)  
\$7,213.60 from 11-B-2 (Materials) to 11-B-3 (Contracts)  
\$50,000.00 from 11-B-2 (Materials) to 11-A-8 (Bldg. & Additions)

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**PUBLIC SPEAKS**

- Susan Leonatti, 3813 Arlind Cir. NW, Uniontown: Ms. Leonatti questioned why the township has the authority to enforce tall grass and weed complaints but not noise complaint. Mr. Erb explained to her that the authority comes from the Ohio Revised Code which addresses tall grass and weeds but not noise.
- Kristi Gray, 10975 Cottingham Cir. NW, Uniontown: Ms. Gray spoke regarding what she has done to date regarding ATV noise and wondered what she should do now. She also asked for clarification on Limited Home Rule.

07-280 A resolution was made by Ellis Erb to go into executive session at 7:21 p.m. pursuant to ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee to include the Trustees and Fiscal Officer. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-281 A resolution was made by Ellis Erb for the Board to return from executive session at 8:37 p.m. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-282 A resolution was made by Ellis Erb to return to regular session at 8:38 p.m. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-283 A resolution was made by Ellis Erb promoting part-time officer, Nathan Weidman, to a full-time position with the Uniontown Police Department, effective July 28, 2007, with salary and benefits in accordance with the Collective Bargaining Agreement and pursuant to all provisions of the Lake Township Employee Handbook. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

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07-284 A resolution was made by Ellis Erb authorizing an increase in the hourly compensation of the Uniontown Police Department Reserve Police Officers from \$12.00 to \$14.00 per hour, effective July 28, 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-285 A resolution was made by Ellis Erb adjourning the meeting at 8:50 p.m. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

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Ben Sommers, Fiscal Officer

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Ellis Erb, President

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Galen Stoll, Vice President

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John Arnold, Member