

08-268 A resolution was made by John Arnold determining, pursuant to Ohio Revised Code Section 505.86 and/or 505.87, and based on, in part, information and photos provided by the Zoning Department, that a nuisance **does** exist at **13667 Peppertree Avenue NW, Uniontown** due to **maintenance of 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 hereby accepts the quote of **W.E. Love Landscaping** in the amount of **\$225.00** 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 lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of the resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-269 A resolution was made by John Arnold determining, pursuant to Ohio Revised Code Section 505.86 and/or 505.87, and based on, in part, information and photos provided by the Zoning Department, that a nuisance **does** exist at **3822 Aylesworth Circle NW, North Canton** due to **maintenance of 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 hereby accepts the quote of **W.E. Love Landscaping** in the amount of **\$175.00** 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 lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of the resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-270 A resolution was made by John Arnold closing the Public Hearing. Seconded by John Arnold. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

Mr. Arnold called the regular meeting of the Board to order.

08-271 A resolution was made by John Arnold approving the minutes of July 14, 2008, as submitted. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-272 A resolution was made by John Arnold authorizing payment of payroll for July 31, 2008, in the amount of \$8,417.10. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-273 A resolution was made by John Arnold authorizing payment of payroll for August 8, 2008, in the amount of \$60,896.78. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-274 A resolution was made by John Arnold accepting/approving the Financial Report as of July 28, 2008, as submitted by the Lake Township Fiscal Officer. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-275 A resolution was made by John Arnold authorizing payment of bills as of July 28, 2008 in the amount of \$53,511.72. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

CORRESPONDENCE

1. Stark County Auditor – Certificate of Estimated Property Tax Revenue
2. Stark County Health Department – mosquito spraying schedule
3. Dave Evans – firearm rules
4. TCI – phone warranty notice
5. OTA – notice of wind development seminar
6. Lafarge – notice of change to in-bound rail fuel surcharge
7. Stark County RPC – FY 2009-2011 CDBG Application Workshop
8. OTA – inquiry from Orange Township, Delaware County, Ohio
9. Stark County RPC – notice of revised subdivision regulations
10. Ohio Department of Public Safety – license tax statistics report
11. Powell Electrical Systems – requesting parking set back variance from zoning dept.
12. Stark Soil & Water Conservation – site inspection report
13. Nimishillen Township – notice of emergency safety procedure training

- 14. OPERS – July 16th Employer Notice
- 15. Stark County RPC – copy of correspondence to Stark County Commissioners requesting maintenance bond release request (Village of St. James No. 2)
- 16. Stark County Sheriff’s Department – update on Sunview Circle noise complaint

In reference to the following correspondences:

No. 3 - Dave Evans questioned the Board regarding the Township's firearm's policy, explaining the situation he is facing on his property with a neighbor discharging a firearm. Don Hensley, Uniontown Police Chief stated he would check into it tomorrow and get back to him.

DEPARTMENT REPORTS

Police Department

08-276 A resolution was made by John Arnold authorizing an expenditure not to exceed \$16,000.00 for the purchase 8 Mobile Data Terminals from T.A.C Computer, 7603 First Place B10, Oakwood Ohio 44146 and mounts to be used in the Uniontown Police cruisers. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

Road Department

- None

Zoning Department

- The Board acknowledged receipt of the June 2008 Zoning Report.

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

08-277 Mr. Arnold made the following resolution:

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

THEREFORE, BE IT RESOLVED that said David & 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 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 & 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 - Quarter Section 8NE, 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.

Dated: July 28, 2008.

BY ORDER OF THE LAKE TOWNSHIP BOARD OF TRUSTEES, STARK COUNTY, OHIO.

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-278 Mr. Arnold made the following resolution:

WHEREAS, upon due investigation and consideration, the board has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for Lake Township, Stark County, Ohio, for the next five (5) years will be insufficient to provide an adequate amount for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township, Stark County, Ohio; and

WHEREAS, by reason thereof, this board has determined that it will be necessary to levy a replacement of a tax levy of one and one quarter (1.25) mills, which is in excess of the limitation, for a period of five (5) years for the for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township, Stark County, Ohio; and

WHEREAS, by reason of the facts above set forth, this board has determined that it should, and hereby does, declare itself to submit to the electors of Lake Township, Stark County, Ohio, at the general election to be held November 4, 2008, the

question of levying a replacement of a tax outside the ten (10) mill limitation for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township, Stark County, Ohio, for a period of five (5) years, being tax years 2009, 2010, 2011, 2012 and 2013.

NOW, THEREFORE, BE IT RESOLVED that there shall be submitted to the electors of Lake Township, Stark County, Ohio, at the general election on November 4, 2008, the question of the replacement of a tax levy outside the ten (10) mill limitation in and for Lake Township, Stark County, Ohio, in the amount of one and one quarter (1.25) mills for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township, Stark County, Ohio, and that said replacement tax of one and one-quarter (1.25) mills shall be levied for a period of five (5) years, being tax years 2009, 2010, 2011, 2012 and 2013.

BE IT FURTHER RESOLVED that the submission of said proposal, the notice of election, the form of ballot, the certification of the levy as voted outside the ten (10) mill limitation, and the levying of such millage shall be in accordance with the provisions of Sections 5705.19 (G), 5705.191, 5705.192 and 5705.25 and other related Sections of the Revised Code of Ohio and in accordance with the statutes in such cases made and provided; and

BE IT FURTHER RESOLVED that the form of ballot cast at such election shall be:

**PROPOSED TAX LEVY – (REPLACEMENT TAX)
LAKE TOWNSHIP**

A majority Affirmative Vote is Necessary for Passage.

A replacement of a tax for the benefit of Lake Township, Stark County, Ohio, for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township, Stark County, Ohio, at a rate not exceeding one and one-quarter (1.25) mills for each one dollar of valuation, which amounts to twelve and one-half cents (\$0.125) for each one hundred dollars of valuation, for five (5) years, commencing in 2009, first due in calendar year 2010.

<u>FOR THE TAX LEVY</u>	
<u>AGAINST THE TAX LEVY</u>	

BE IT FURTHER RESOLVED that pursuant to Revised Code Section 5705.03(B) that this Resolution be certified to the Stark County Auditor for the Stark County Auditor to tabulate the monies generated by the current levy, the monies to be generated by the proposed additional levy, and the monies to be generated by the additional levy after rescission of the current levy.

BE IT FURTHER RESOLVED that the Fiscal Officer and Clerk of this Board be, and he hereby is, directed and authorized to proceed forthwith the certification

hereof to the Board of Elections of Stark County, Ohio, pursuant to the provisions of Sections 5705.19(G), 5705.191, 5705.192, and 5705.25 and other related statutes and to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

NEW BUSINESS:

08-279 A resolution was made by John Arnold authorizing the township to enter into and execute an agreement with Skipco Financial Adjusters, Inc. (Skipco Auto Auction) for the purpose of auctioning the following police vehicles:

1. 2003 FORD CROWN VICTORIA POLICE INTERCEPTOR
SERIAL NO. 2FAHP71W93X205824
4.6L OHC SEFI V8 ENGINE
ELECTRONIC AUTO O/D TRANSMISSION
MILEAGE: 107,614
HEAVY-DUTY BATTERY
ELECTRONIC AM/FM STEREO RADIO W/ CASSETTE
DUAL EXHAUST SYSTEM
3.27 RATIO-AXLE/TRACTION-LOK
CLOTH BUCKETS/CLOTH REAR SEATS
POLICE PACKAGE
NOTE: MINIMUM BID -- \$1,500.00
2. 2003 FORD CROWN VICTORIA POLICE INTERCEPTOR
SERIAL NO. 2FAHP71W73X205823
4.6L OHC SEFI V8 ENGINE
ELECTRONIC AUTO O/D TRANSMISSION
MILEAGE: 121,868
HEAVY-DUTY BATTERY
ELECTRONIC AM/FM STEREO RADIO W/ CASSETTE
DUAL EXHAUST SYSTEM
3.27 RATIO-AXLE/TRACTION-LOK
CLOTH BUCKETS/CLOTH REAR SEATS

POLICE PACKAGE
NOTE: MINIMUM BID -- \$1,500.00

- 3. 2004 FORD CROWN VICTORIA POLICE INTERCEPTOR
SERIAL NO. 2FAHP71W84X129689
4.6L OHC SEFI V8 ENGINE
ELECTRONIC AUTO O/D TRANSMISSION
MILEAGE: 92,744
HEAVY-DUTY BATTERY
ELECTRONIC AM/FM STEREO RADIO W/ CASSETTE
DUAL EXHAUST SYSTEM
3.27 RATIO-AXLE/TRACTION-LOK
CLOTH BUCKETS/CLOTH REAR SEATS
POLICE PACKAGE
NOTE: No MINIMUM BID

Cost of the auction \$375.00 (\$125.00 per piece of vehicle). Auction to be scheduled for Saturday, August 23, 2008 at 10:00 a.m., at 700 Elm Ridge Avenue, Canal Fulton, Ohio, 44614 and advertised in the Hartville News the weeks of August 1, 2008, August 8, 2008 and August 15, 2008. Skipco will accept no less than the minimum bid established by the Lake Township Board of Trustees. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-280 A resolution was made by John Arnold executing the following Road Open Permit:

A-08-11: Dominion East Ohio – 8512 Sweeney Ave. (tie-in new gas svc)

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-281 Mr. Arnold made the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Wild Carrot and Canadian Thistle are growing on the lands in charge of Bayside Investments Properties LTD in this township, described as follows: Parcel No. 2015650, 3084 Wright Rd., Uniontown, Section 19SE, Lake Township.

THEREFORE, BE IT RESOLVED that said Bayside Investments Properties LTD. Whose address is PO Box 775, Uniontown, OH 44685 be notified by serving on him/her/them 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 not need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

08-282 Mr. Arnold made the following resolution:

WHEREAS, section 505.86 of the Ohio Revised Code provides that a township board of trustees may provide for the removal, repair, or securance of buildings or other structures in the Township that had been declared insecure, unsafe, or structurally defective by the township fire prevention officer or that have been declared unfit for human habitation by the Stark County Health Department, and

WHEREAS, the Lake Township Fire Prevention Officer has declared the property at 9776 Cleveland Avenue Northwest, as abandoned, insecure, unsafe or structurally defective; and

WHEREAS, the Lake Township Fire Prevention Officer has ordered the structure secured, as an emergency condition, by Allen Keith Construction Company, and

WHEREAS, the Lake Township Board of Trustees does hereby determine, pursuant to ORC 505.86 that the residential structure situated at 9776 Cleveland Ave Northwest, Lake Township, Stark County is abandoned, insecure, unsafe, or structurally defective according to the Order of the Lake Township Fire Prevention Officer and the facts as set forth in the incident report of the Stark County Sheriff, (08-007990) dated July 22, 2008, and

WHEREAS, the Lake Township Board of Trustees, pursuant to the authority of ORC 505.86(B) does hereby declare the necessity for the protection of life health and safety of the residents of Lake Township, Stark County, mandates that emergency procedures shall be implemented to secure the structure; and

NOW THEREFORE BE IT RESOLVED, that pursuant to the express authority of ORC 505.86, the Board of Trustees of Lake Township, Stark County, Ohio, does hereby declare a residential structure at 9776 Cleveland Ave NW, Lake Township, Stark County, Ohio, as insecure, unsafe, or structurally defective pursuant to the Order of the Lake Township Fire Prevention Officer and the facts as set forth in the incident report of the Stark County Sheriff, (08-007990) dated July 22, 2008; and

BE IT FURTHER RESOLVED, that the Lake Township Fire Prevention Officer shall order the structure secured, as an emergency condition, by Allen Keith Construction Company, and

BE IT FURTHER RESOLVED, that the Lake Township Fire Prevention Officer shall give notice to the property owner by personal service or residence service and also by posting a copy on the front of the subject structure to include, the Lake Township Fire Prevention Officer's Order, the Stark County Sheriff's incident report (08-007990) dated July 22, 2008, and this Resolution, and

BE IT FURTHER RESOLVED, that the Lake Township Fiscal Officer, is hereby authorized to pay the total costs incurred in the abatement of this nuisance condition due to the use of employees, materials, or equipment of the Township, and any cost arising out of any contract for labor, materials, or equipment, and cost of service of notice or publication as required herein; and

BE IT FURTHER RESOLVED, that the Lake Township Fiscal Officer, pursuant to the authority of ORC 505.86 (C) (1) shall certify the total cost, together with a proper description of the lands to the county auditor who shall then place the cost upon the tax duplicate. The cause shall become a lien upon the lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Lake Township General Fund.

Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

08-283 A resolution was made by John Arnold adopting cemetery fees for Uniontown Greenlawn Cemetery and Woods Cemetery as follows:

Single Burial Site	\$600.00
Open/Close Monday – Friday	\$600.00
After 3PM	\$700.00
Open/Close Sat & Holidays	\$700.00
After 3PM	\$800.00
Cremation Burial	\$400.00
Sat & Holidays	\$450.00
Infant Burial	\$300.00
Sat, Sun & Holidays	\$400.00
(All burials must be in the cemetery by 3PM in the winter months)	
Deed Transfer	\$ 15.00
Foundations	\$ 35.00 plus \$0.40 per sq. inch

Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

08-284 A resolution was made by John Arnold authorizing legal council to draft an agreement with Mike Wells of Wells Quality Excavating for opening/closing of grave sites at Uniontown Greenlawn Cemetery and Woods Cemetery, effective July 14, 2008, for a period of one-year and for a contract cost not to exceed \$15,000.00. Further authorizing the Board to execute said agreement in final form. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

08-285 A resolution was made by John Arnold authorizing the Board to re-issue and execute a deed for Uniontown Greenlawn Cemetery, Section A, Lot 43, Graves 1 & 2. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

08-286 A resolution was made by John Arnold authorizing the Board to execute deed for Woods Cemetery, Section South, Lot 417. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

08-287 A resolution was made by John Arnold authorizing an expenditure not to exceed \$21,000.00 for the purchase of pipe from Marlboro Supply, 9271 Edison St., Louisville, Ohio 44641, for the Milan/State Street drainage project in conjunction with the Stark County Engineer's Office. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

08-288 A resolution was made by John Arnold pursuant to the Lake Township Budget being adjusted to exceed \$10,000,000.00 and in accordance with Ohio Revised Code Sections 505.24 and 507.09, the salary and compensation of the township elected officials shall be adjusted accordingly. Further resolving that said adjustments shall be effective July 14, 2008. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

MEETING REPORTS:

- Ellis Erb attended the Stark County Regional Planning meeting last month; there are revised sub division regulations.

FISCAL OFFICER’S REPORT

08-289 A resolution was made by John Arnold authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers and Vendor’s Certificates. Seconded by John Arnold.

Roll call votes were:

John Arnold	yes
Ellis Erb	yes

- Acknowledge the following transfers pursuant to Resolution No. 08-036:

- 07/14/08 \$11,998.44 from 4-A-1 (Salaries-Trustees) to 4-B-1 (Salaries)
- 07-14-08 \$23,996.88 from 1-A-25 (Contingency Acct.) to 1-A-1 (Salaries-Trustees)
- 07-14-08 \$701.00 from 5-A-12 (Other Expenses) to 5-A-2 (Salaries)
- 07-21-08 \$6,283.86 from 1-A-25 (Contingency Acct.) to 1-A-1 (Salaries-Trustees)
- 07-21-08 \$1,751.27 from 1-A-25 (Contingency Acct.) to 1-A-2 (Salary-F.O.)

PUBLIC SPEAKS

Dean Young, Springfield Township Trustee; Mr. Young asked the Board to participate as a government partner in the application by Springfield Township, for participation in the Local Government Services and Regional Grant Program Collaboration Grant Program to be filed with the Ohio Department of Development. The purpose of the grant would be for a feasibility study for a confined fire and police dispatch center serving Lake Twp, Springfield Twp. and Lakemore. The Board declined to participate at this time.

Yen Huynh, AFLAC; Ms Huynh gave the Board some materials for review and asked to be on the agenda for the next meeting. The Board said they would review the materials and would contact her.

08-290 A resolution was made by John Arnold adjourning the meeting at 7:26 p.m. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

Ben Sommers, Fiscal Officer

-- Absent--
Galen Stoll, President

John Arnold, Vice President

Ellis Erb, Member

