

The Board of Lake Township Trustees met at 6:25 p.m. at 12360 Market Avenue North, Hartville, Ohio for the purpose of conducting a Public Hearing to receive public response to the proposed lighting improvement in the Enclave Allotment Phase 3 (only) immediately following in the regular session with the following members present:

Galen Stoll, President
John Arnold, Vice President
Ellis Erb, Member

Also Present:

Ben Sommers	Steve Lacey
Joy Dingman	Mary Ann Kannam
Tom Renner	Sam Miller
Jeff Brink	Melissa Link

Mr. Stoll called the meeting to order and opened the Public Hearing at 6:25 p.m. for the purpose of receiving public response regarding a proposed street lighting improvement and assessment for the property owners of the twenty-six (26) parcels in Phase 3 of the Enclave Allotment. The improvement involves the installation of six (6) street lights in the above mentioned allotment. The work to be assessed to the property owners will include trenching, conduit, and some re-landscaping.

Mr. Stoll called for anyone who would like to speak regarding this matter.

Jeff Brink, President of the Enclave Home Owners Association: Mr. Brink thanked the Board for their help with completing this project.

Scott Batchik, 2969 Londonbury St., Uniontown, Ohio: Mr. Batchik also thanked the Board for their help and questioned whether they could add an additional light. Mr. Sommers stated that it could possibly be added later, but not at the present time.

Mr. Stoll closed the public speaks portion of the meeting.

- 08-418 A resolution was made by Mr. Stoll based on an affirmation from more than 51% of the property owners of the Enclave Phase 3 allotment and pursuant to Resolution #08-415, the Board hereby authorizes the Fiscal Officer to move forward with the "notice to proceed" to Bontrager Excavating with a cost not to exceed \$6,133.00

Furthermore, once the installation is complete, the Board authorizes the Fiscal Officer to equitably assess the twenty-six (26) parcels located in the Enclave Phase 3 allotment for the cost of \$6,133.00 plus an administrative processing fee of \$75.00. The assessment will be collected over a five (5) year period of time and

will be paid in the semi-annual property tax duplicate from Stark County. The assessment breakdown will be as such:

$$\begin{aligned} \$6,133.00 \text{ install} + \$75.00 \text{ fee} &= \$6,208.00 \div 5 \text{ years} = \\ & \$1,241.60 \text{ per year} \div 26 \text{ parcels} = \end{aligned}$$

\$47.75 for each parcel owner per year (or \$23.88 per half)

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-419 A resolution was made by Mr. Stoll along with the above resolution the Board authorizes the Board President to sign the revised agreement with Ohio Edison, enabling Ohio Edison to complete the installation of the six (6) street lights in Phase 3 of the Enclave Allotment within the Uniontown Lighting District. This contract includes a map reflecting the new locations of each light and assigns a monthly charge of \$12.00 per light per month (a total cost of \$72.00 per month) to be billed to Lake Township and later assessed to the property owners of said allotment.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

Mr. Stoll closed the public hearing at 6:31 p.m.

Mr. Stoll called the regular meeting of the Board to order at 6:32 p.m.

08-420 A resolution was made by Galen Stoll approving the minutes of November 10, 2008, as submitted. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-421 A resolution was made by Galen Stoll authorizing payment of payroll for November 28, 2008, in the amount of \$48,094.18. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-422 A resolution was made by Galen Stoll accepting/approving the Financial Report as of November 24, 2008, as submitted by the Lake Township Fiscal Officer. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-423 A resolution was made by Galen Stoll authorizing payment of bills as of November 24, 2008 in the amount of \$38,349.01. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

CORRESPONDENCE

1. Stark County Budget Commission – Certificate of Estimated Resources for the Budget Year beginning January 1st, 2009
2. Stark County RPC – Notice of Subdivision Review
3. Eastern Ohio Utilities Council – notice of December 11, 2008 luncheon
4. Stark County RPC – Construction Inspection Report (The Highland Reserves Allotment)
5. SCOG – notice of general membership meeting on December 9, 2008
6. Stark County Township Association – notice of November meeting
7. OTA – township requests for information
8. Ohio CAT Equipment – notice of change of vendors in the State Cooperative Purchasing contract
9. Cuyahoga County Board of Health – 2009 Ohio Stormwater Conference call for abstracts
10. Homer Township Zoning Commission – question regarding regulations for outdoor woodburners
11. National Home Management Solutions – copy of correspondence regarding 10919 Geib
12. Stark Soil & Water Conservation – site inspection report
13. OTA – December Grassroots Clippings

DEPARTMENT REPORTS

Police Department

08-424 A resolution was made by Galen Stoll accepting the resignation of Jerry Dumont as a Reserve Officer with the Uniontown Police Department. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-425 A resolution was made by Galen Stoll approving the request from Jack Coontz to bank two weeks of vacation from 2008 towards retirement and to carry over one week of unused vacation from 2008 into 2009. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-426 A resolution was made by Galen Stoll authorizing the Uniontown Police Department to participate in the "Shop with a Cop" program. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

Tom Renner, Greentown Fire Department: Mr. Renner informed the Board that the Greentown Volunteer Fire Department has received a \$308,750.00 grant to be used to purchase a new CAFA Pumper Engine to replace their 1982 Pierce Engine.

OLD BUSINESS:

08-427 A resolution was made by Galen Stoll authorizing the Board to forward correspondence to the Corps of Engineers regarding Swartz Ditch/Schumacher property pursuant to Resolution No. 08-375. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-428 A resolution was made by Galen Stoll authorizing Lake Township Legal Counsel to file a nuisance lawsuit in Common Pleas Court against Edward Maluke at 916-918 Camelia St., Hartville Ohio. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

NEW BUSINESS:

08-429 A resolution was made by Galen Stoll authorizing the Board to execute a Street Lighting Request-Information Agreement with Ohio Edison for the installation of three (3) 7700 Lumen 175 Watt mercury 12' aluminum acorn post street lights in the Villas at St. James Place No. 3, at no installation cost to the Township and contingent upon the developer executing said agreement. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-430 A resolution was made by Galen Stoll authorizing the Board to close the township administrative office on Friday, December 26, 2008. The employees will use vacation, comp-time, personal time, no pay or a combination thereof. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-431 A resolution was made by Galen Stoll authorizing an expenditure for registration and costs associated for the elected officials, Road Superintendent, Sophia Kapadia, Christy Bresson and Steve Lacey to attend the 2009 Winter Conference. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-432 A resolution was made by Galen Stoll approving the request from Ryan Homes for reimbursement in the amount of \$217.70 for a zoning permit fee for 9209 Wellspring Avenue. The house plans have changed, they are now building smaller home and have been issued a new permit. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-433 Mr. Stoll moved for the adoption of the following resolution:

WHEREAS, certain sections of the Ohio Revised Code and Ohio Court decisions provide that a township board of trustees must maintain its roads in a safe manner for the travel of the motoring public and to provide for the removal, repair, or control of unnatural accumulations of snow and ice or other hazards from within the traveled portion of the township roads, and

WHEREAS, the Lake Township Road Department does an excellent job of providing road maintenance and repairs; including removal, repair, or control of unnatural accumulations of snow, ice and other hazards from within the traveled portion of the township roads, and

WHEREAS, the Lake Township Road Department, on certain occasions and under limited circumstances, will encounter a winter snow and ice storm that may overextend its available resources and require employees to work overly long hours and extended periods of time that places the safety of its departmental employees in jeopardy, and

WHEREAS, the Lake Township Board of Trustees does hereby determine, that on these certain occasions and under these limited circumstances, when the Lake Township Road Department employees will encounter a winter snow and ice storm that threatens to overextend its available resources and require its employees to work overly long hours that may place the safety of its departmental employees in jeopardy to contract with Bontrager Excavating, 11057 Cleveland Avenue NW, Uniontown, Lake Township, Stark County, Ohio, to supplement the snow and ice control efforts by the Lake Township Road Department, and to remove, and control unnatural accumulations of snow and ice or other hazards from within the traveled portion of the township roads and under the guidance and direction of the Lake Township Road Superintendent and the Board of Trustees, and

WHEREAS, the Lake Township Board of Trustees, does hereby declare the necessity of this supplemental contract with Bontrager Excavating to also be for the protection of life, health and safety of the residents of Lake Township, Stark County, and motorists from the general public that use Lake Township roads and mandates that emergency procedures shall be implemented to determine when and under what circumstances that the contract with Bontrager Excavating shall be implemented; and

NOW THEREFORE BE IT RESOLVED, to contract with Bontrager Excavating, 11057 Cleveland Avenue NW, Uniontown, Lake Township, Stark County, Ohio, to supplement the snow and ice control efforts by the Lake Township Road Department, and to remove, and control unnatural accumulations of snow and ice or other hazards from within the traveled portion of the township roads and under the guidance and direction of the Lake Township Road Superintendent and the Board of Trustees at an hourly rate of thirty dollars (\$30.00) using township vehicles or equipment or at an hourly equipment/operator rate while using contractor's own equipment as shown on the attached Proposal, dated November 17, 2008, from Bontrager Excavating Ltd. with an amount not to exceed twenty-five thousand (\$25,000.00) dollars per any twelve (12) month period, and

BE IT FURTHER RESOLVED, that the Lake Township Board of Trustees, does hereby declare the necessity of this supplemental contract with Bontrager

Excavating to also be for the protection of the Lake Township Road Department employees and to protect the life, health and safety of the residents of Lake Township, Stark County, and motorists from the general public that use Lake Township roads, and

BE IT FURTHER RESOLVED that the Lake Township Road Department Superintendent and the Board of Trustees shall develop and implement guidelines and emergency procedures to determine when and under what circumstances that the contract with Bontrager Excavating shall be activated; and seconded by John Arnold.
Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

MEETING REPORTS:

- None

FISCAL OFFICER’S REPORT

08-434 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers and Vendor’s Certificates. Seconded by John Arnold.
Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-435 Mr. Stoll moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees have considered the construction, reconstruction, or relocation of a future township maintenance building(s), and

WHEREAS, the board of trustees would like to set aside funds for that purpose,

Now, therefore, be it resolved in accordance with O.R.C. 5549.21, the Board of Trustees of Lake Township create a CAPITAL PROJECT FUND - TOWNSHIP MAINTENANCE BUILDING(S) 14E for a the purpose of accumulating resources for the acquisition, construction, reconstruction, excavation, demolition, or improvement of the Lake Township Maintenance Building(s), and,

Be it further resolved, that the Board of Township Trustees authorize the Lake Township Fiscal Officer to transfer Three Hundred Thousand Dollars (\$300,000.00)

from the #4 FUND - ROAD & BRIDGE as of November 24, 2008 for said purpose, to be held in this fund for no longer than a period of ten (10) years.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-436 Mr. Stoll moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees have considered the construction, reconstruction, or relocation of a future Uniontown Police Department building, and

WHEREAS, the board of trustees would like to set aside funds for that purpose,

Now, therefore, be it resolved in accordance with O.R.C. 505.48, the Board of Trustees of Lake Township create a CAPITAL PROJECT FUND - UNIONTOWN POLICE DEPARTMENT BUILDING 14F for a the purpose of accumulating resources for the acquisition, construction, reconstruction, excavation, demolition, or improvement of a Lake Township Uniontown Police Department Building, and,

Be it further resolved, that the Board of Township Trustees authorize the Lake Township Fiscal Officer to transfer Three Hundred Thousand Dollars (\$300,000.00) from the #9 FUND - POLICE DISTRICT as of November 24, 2008 for said purpose, to be held in this fund for no longer than a period of ten (10) years.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

PUBLIC SPEAKS

Tom Renner, Greentown Fire Department: Mr. Renner questioned the Board regarding the \$300,000.00 being transferred into the Capitol Project Fund - Uniontown Police Department Building 14F. He wanted to be sure the money came from other police district funds and not the General Fund. The Board assured him that this was the case.

08-437 A resolution was made by Galen Stoll for the Board to enter into Executive Session at 6:54 p.m. pursuant to ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee and to include the Trustees, Fiscal Officer and legal counsel. Seconded by John Arnold.
Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-438 A resolution was made by Galen Stoll for the Board to return from Executive Session at 8:10 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

08-439 A resolution was made by Galen Stoll adjourning the meeting at 8:12 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

Ben Sommers, Fiscal Officer

Galen Stoll, President

John Arnold, Vice President

Ellis Erb, Member