

The Board of Lake Township Trustees met at 6:15 p.m. for the purpose of conducting a Public Hearing to consider a proposed resolution to place portions of an unnamed and unimproved alley in Greentown, Lake Township, on unimproved/non-maintained status with the regular meeting to immediately follow. The following members were present:

John Arnold, Vice President
Ellis Erb, Member

Also Present:

Ben Sommers Vince Harris
Jim Flem... Chad Ritchey
Mary Ann Kannam Jack Coontz
Joy Dingman Melissa Link

Mr. Arnold called the public hearing to order and called for public comment.

The Trustees answered questions from unidentified audience members. They explained that the Township intends to extend the pavement 70' from the end of the existing pavement, there is a stake indicating this spot. He stated that the township was thinking they would put it in gravel this year until the trees are removed and pave it next year so as to avoid the heavy equipment on new pavement. The trees are not on Township property therefore the township cannot remove the trees this must be done by the property owner. The portion beyond the 70' will be placed on unimproved/non-maintained status, which relieves the township of all responsibility for that portion. The township will maintain the 70' of pavement to be installed.

09-295 A resolution was made by John Arnold closing the Public Hearing. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

John Arnold called to order the regular meeting.

09-296 A resolution was made by John Arnold approving the minutes of July 27, 2009, as submitted. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

09-297 A resolution was made by John Arnold authorizing payment of payroll for August 21, 2009, in the amount of \$64,534.54. Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

09-298 A resolution was made by John Arnold accepting/approving the Financial Report as of August 10, 2009, as submitted by the Lake Township Fiscal Officer. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-299 A resolution was made by John Arnold authorizing payment of bills as of August 10, 2009 in the amount of \$19,336.85. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

CORRESPONDENCE

1. Ohio Deferred Compensation – program information for employees
2. Stark Soil & Water Conservation District – Site Inspection Report
3. Stark County RPC – August 4, 2009 Agenda
4. Guardian Alarm Company – change in Barco Security’s alarm service company
5. Tracy Kidd – concerns about property at 2730 Smith Kramer
6. OTA – request for information from Jefferson Township
7. Safe Communities of Stark County – asking support for campaign to promote the importance of driving sober (addressed later in Agenda)
8. Fund for Our Economic Future – update on EfficientGovNow standings
9. U.S. Department of Commerce – U.S. Census Bureau
10. OhioEPA – copy of open burn request at 9312 Cleveland Avenue
11. Citizens’ Advisory Council – August 26, 2009 Agenda
12. Stark County Health Department – mosquito spraying schedule
13. Comunale Co. Inc. – invitation to August 27, 2009 open house
14. Ohio Economic Development Association – August newsletter
15. Becky Eremich – issue with neighbor
16. SCTA – notice of August meeting
17. Stark County Engineer – notice of Middlebranch Avenue road closing
18. KSU – notice of upcoming Fall 2009 Elected Officials Academy
19. ODOT – notice of “Quick Start” Workshop #2
20. Stark County RPC – construction inspection report (The Village of St. Ives Condos)
21. Legacy Mark – cemetery software/mapping project

In reference to the following correspondences:

No. 17 - Middlebranch Ave. is closed August 10th through August 13th.

DEPARTMENT REPORTS

Police Department

- None

Road Department

- None

Zoning Department

- The Board acknowledged receipt of the July 2009 Zoning Report.

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

09-300 A resolution was made by John Arnold authorizing the Board to execute a service agreement with the Northeast Ohio Division of Time Warner Cable, a division of time Warner Entertainment Co., LP, for a period of 36 months, for renewal of our existing Road Runner service at 1499 Midway Street (road Service Garage), for a monthly Business Class SOHO Tier, which includes service with five (5) DHC IP E-Mail addresses. The Board further acknowledges that there will be no changes in the monthly fee for this contract. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-301 Mr. Arnold moved the adoption of the following resolution:

Despite the fact, Lake Township is primarily a DRY COMMUNITY, the Lake Township officials and law enforcement officers are keenly aware, Lake Township is not immune from alcohol related traffic accidents or fatalities; and

WHEREAS, the Lake Township elected officials with cooperation from the Uniontown Police Department and the Stark County Sherriff's Office, collectively support and promote the safety and welfare of the all the citizens in Lake Township along with the citizens of Stark County; and

WHEREAS, a countywide effort titled, ***OVER THE LIMIT-UNDER ARREST CAMPAIGN*** is scheduled for August 21st through September 7th, 2009 to discourage Stark County drivers from operating their vehicles while under the influence of drugs or alcohol;

THEREFORE, be it resolved by the Lake Township Board of Trustees, Stark County, Ohio, as a gesture to demonstration our unified support and commitment to the citizens of Lake Township, we join with the members of the ***Safe Communities of Stark County*** as they launch their campaign; and

WE APPLAUD their efforts to reduce the number of traffic accidents and fatalities caused by impaired drivers in our community and others.

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-302 A resolution was made by John Arnold executing the following Road Open Permit:

D-09-14: Dominion East Ohio (several addresses) – install anodes & test points on existing gas mains.

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-303 A resolution was made by John Arnold accepting and executing Change Order #2009-001 for an amount not to exceed \$2,500.00 for the 2009 Curb and Catch Basin Project. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-304 A resolution was made by John Arnold pursuant to Resolution No. 09-238 the Board of Lake Township Trustees accepts and is hereby authorized to execute the Amendment To Snow Removal Agreement for Hoover Estates No. 2 and The Highlands No. 1 as prepared by David M. Bridenstine, Assistant Stark County Prosecuting Attorney. Said Amendment will extend said Agreement to expire on June 30, 2010. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-305 A resolution was made by John Arnold approving the request of St. James Villas Home Owners Association to place two columns for a subdivision sign in road right-of-way. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-306 Mr. Arnold moved the adoption of the following resolution:

WHEREAS, this Board has considered the expansion of the Uniontown Police District, and finds that it is in the best interest of the Uniontown Police District and those property owners of the properties described in Exhibits A (Parcel Nos. 1980018, 1980019, 1980020 and 1980021) and B (Parcel Nos. 2080072, 2080076 and 2080112) of Lake Township, Stark County, Ohio that said Police District be expanded to include those properties;

NOW, THEREFORE, BE IT RESOLVED:

1. This Board approves the expansion of the territorial limits of the Uniontown Police District.
2. The Police District as currently constituted is known as the Uniontown Police District, and once expanded shall continue to be known as the Uniontown Police District.
3. The territory to be added to the Uniontown Police District consists of all the unincorporated territory described in Exhibits A (Parcel Nos. 1980018, 1980019, 1980020 and 1980021) and B (Parcel Nos. 2080072, 2080076 and 2080112) which are attached hereto and incorporated herein.
4. The rate and termination date for the tax presently in effect for the District is 10.8 mills per each dollar of valuation which amounts to one dollar and eight cents (\$1.08) for each one hundred dollars of valuation for a continuing period of time for the purpose of providing and maintaining motor vehicles, communications and other equipment used directly in the operation of a police department, or the payment of salaries of permanent police personnel, for the Uniontown Police District, Lake Township, Stark County, Ohio. This Board finds and determines that there are no electors presently residing within the territory described in Exhibits A (Parcel Nos. 1980018, 1980019, 1980020 and 1980021) and B (Parcel Nos. 2080072, 2080076 and 2080112) attached hereto and incorporated herein. As a consequence, this Board, with the advice and counsel of the Stark County Prosecuting Attorney's office as taken from their October 15, 1999 letter of opinion and additional legal counsel determines that it is impossible to have any recommendation for the extension of the tax to the territory to be added to the District approved by the electors of the territory to be added to the District and that any such requirement would be a vain and impossible act. Therefore, this Board determines that said District shall be expanded as provided for in Ohio Revised Code Section 505.48 pursuant to this and an accompanying resolution without any

election since there are no electors residing in the territories to be added to this District.

- 5. This Board also now determines that the properties to be added to the District in their entireties are exempt from taxation since they are owned by this Board (as to Exhibits A and B). Notwithstanding this fact, this Resolution as well as the Resolution to extend the tax for the Uniontown Police District shall be sent and certified by the Clerk to the Stark County Board of Elections and the Stark County Auditor's office so that the boundaries of the District may be officially changed.
- 6. That it is hereby 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

09-307 Mr. Arnold moved the adoption of the following resolution:

WHEREAS, this Board has considered the expansion of the Uniontown Police District, and finds that it is in the best interest of the Uniontown Police District and those property owners of the properties described in Exhibits A (Parcel Nos. 1980018, 1980019, 1980020 and 1980021) and B (Parcel Nos. 2080072, 2080076 and 2080112) of Lake Township, Stark County, Ohio that said Police District be expanded to include those properties;

NOW, THEREFORE, BE IT RESOLVED:

- 1. This Board hereby recommends the extension of the tax set forth below to the additional territory proposed to be included in the Uniontown Police District, Lake Township, Stark County, Ohio.
- 2. The Police District as currently constituted is known as the Uniontown Police District, and once expanded shall continue to be known as the Uniontown Police District.
- 3. The territory to be added to the Uniontown Police District consists of all the unincorporated territory described in Exhibits A (Parcel Nos. 1980018, 1980019, 1980020 and 1980021) and B (Parcel Nos. 2080072, 2080076 and 2080112) which are attached hereto and incorporated herein.
- 4. The rate and termination date for the tax presently in effect for the District is 10.8 mills per each dollar of valuation which amounts to one dollar and eight cents (\$1.08) for each one hundred dollars of valuation for a continuing period of time for the purpose of providing and maintaining motor vehicles, communications and other equipment used directly in the operation of a police department, or the

payment of salaries of permanent police personnel, for the Uniontown Police District, Lake Township, Stark County, Ohio.

5. While Ohio Revised Code Section 505.48 specifies that the approval of the tax as extended to the territory to be added to the District is necessary, this Board finds and determines that there are no electors residing within the territory to be added to the District and that the property to be so added is exempt from taxation since it is owned by this Board (as to Exhibits A and B). The Board therefore, with the advice and counsel of the Stark County Prosecuting Attorney's office as taken from their October 15, 1999 letter of opinion and additional legal counsel has determined that a vote as contemplated by the Ohio revised Code Section 505.48 would be a vain and impossible act and is not therefore required.
6. That this Resolution and the Resolution to Approve the Expansion of the Uniontown Police District, together with the Exhibits to each be sent and certified by the Clerk to the Stark County Board of Elections and the Stark County Auditor's office so that the boundaries of the District might be officially changed.
7. That it is hereby found and determined that all formal action 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

09-308 A resolution was made by John Arnold pursuant to a request from a representative of the Lake Township and Plain Township Historical Societies, the Board hereby authorizes correspondence be forwarded to the Ohio Department of Transportation , requesting the Village of Cairo signs that were removed during the SR43 improvements project several years ago be reinstalled. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes

09-309 Mr. Arnold 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 JMN Investments LLC in this township, described as follows: Parcel 2015661, Lot 284 MacDuff Dr. NW, Section 32 NW, Lake Township.

THEREFORE, BE IT RESOLVED that said JMN Investments LLC Whose address is 6150 Enterprise Pkwy., Solon OH 44139 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

09-310 Mr. Arnold made the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle and Wild Carrot are growing on the lands in charge of Rose Strasser in this township, described as follows: Parcel No. 1900184, State Street NE, Section 34 NE, Lake Township.

THEREFORE, BE IT RESOLVED that said Rose Strasser whose address is 2133 Amarillo Dr. NW, North Canton, OH 44720 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

MEETING REPORTS:

- None

FISCAL OFFICER’S REPORT

09-311 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 Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes

- The Board acknowledged the following Transfer within a Fund pursuant to Resolution No. 09-024:

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
7/27/09	\$920.00	9-A-12 (Insurance)	9-A-3 (Workers’ Comp)
7/27/09	\$150.00	10-A-1 (Salaries)	10-A-3 (Workers’ Comp)

Purpose: To set up a purchase order for repairs Frank Gates -Avizent

PUBLIC SPEAKS

Dennis Climes, 12966 Grange St., Uniontown: Mr. Climes addressed the Board regarding drainage problems at his home, he brought pictures illustrating the problem. The Board asked him to email the pictures to the township and they will see what they can get done for him.

09-312 A resolution was made by John Arnold adjourning the meeting at 6:45 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

