

The Board of Lake Township Trustees met at 6:20 p.m. for the purpose of conducting a Public Hearing for the consideration of a possible nuisance situation at 11362 Kent Avenue NE, Hartville, with the regular meeting to immediately follow. The following members were present:

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

Also Present:

Ben Sommers  
Mary Ann Kannam  
Don Myers  
John Stewart  
Joy Dingman  
Sam Miller  
Steve Lacey  
Jeff Heimbaugh

Mr. Stoll called the meeting to order and opened the Public Hearing at 6:20 p.m. for possible nuisances at 11362 Kent Avenue NE, Hartville.

Mr. Stoll called for anyone who would like to speak for/or against this matter.

John Stewart, 11362 Kent Ave. NE Hartville; Mr. Stewart addressed the Board regarding the possible nuisance situation at his property. He informed the Board he has taken care of some the items, and intends to take care of the rest. The Board asked him if would be able to finish in the next few weeks. Mr. Stewart said that he hoped to.

Mr. Stoll closed the public comment portion of the hearing.

The Board discussed the possible nuisance at 11362 Kent Avenue NE, Hartville due to tall weeds/grass, junk vehicles, accessory building in despair and debris.

09-352 A resolution was made by Galen Stoll to table their decision for two weeks, pending an inspection by the Zoning Administrator to insure progress is being made. Seconded by John Arnold. Roll call votes were:

Galen Stoll        yes  
John Arnold        yes  
Ellis Erb            yes

09-353 A resolution was made by Galen Stoll closing the Public Hearing. Seconded by John Arnold. Roll call votes were:

Galen Stoll        yes  
John Arnold        yes  
Ellis Erb            yes

Mr. Stoll called to order the regular meeting.

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09-354 A resolution was made by Galen Stoll approving the minutes of September 14, 2009, as submitted. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-355 A resolution was made by Galen Stoll authorizing payment of payroll for September 30, 2009, in the amount of \$26,270.34. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-356 A resolution was made by Galen Stoll authorizing payment of payroll October 2, 2009, in the amount of \$40,220.88. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-357 A resolution was made by Galen Stoll accepting/approving the Financial Report as of September 28, 2009, 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

09-358 A resolution was made by Galen Stoll authorizing payment of bills as of September 28, 2009 in the amount of \$728,317.32. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board noted that this included a \$641,770.41 payment to Northstar for the 2009 Paving Project.

**CORRESPONDENCE**

1. OPERS – September 22, 2009 Employer Notice
2. Pontius Road residents – speeding on Pontius Road NW
3. Ohio Department of Public Safety – tax distribution reports (x2)
4. OTA – general request for information
5. Ohio DAS – cooperative purchasing amendment updates
6. Ohio DAS – cooperative purchasing on copy paper
7. OhioEPA – Countywide landfill update
8. Boy Scout Troop 10 – notice that Edward Scott earned rank of Eagle Scout

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9. Stark County Engineer – 2009 Capital Improvement’s Report
10. OhioEPA – open burn request for bonfire
11. Jack Doheny Supplies – notice of upcoming public works equipment show
12. SCTA – notice of September township association meeting
13. OTA – general zoning question from Madison Township (Richland County)
14. OEDA – September Dateline Newsletter
15. OTA – Grassroots Clippings October 2009 issue
16. Joint Solid Waste District – FY2010 District Yard Waste Drop-Off Program
17. KSU – survey
18. OhioPERS – Third Quarter 2009 Newsletter

- In reference to the following Correspondence:

No. 9- Ellis Erb stated that he spoke with Mike Rehfus regarding adding Middlebranch Ave., where the road dips north of State St., to this project. He also offered the township’s assistance.

**DEPARTMENT REPORTS**

**Police Department**

- None

**Road Department**

- None

**Zoning Department**

- None

**Fire Departments/Fire Prevention Office**

- None

**OLD BUSINESS:**

09-359 Mr. Stoll moved the adoption of the following resolution:

The board of township trustees of Lake Township, in said county, hereby makes report and certified that on the 27th day of August, 2009, it was informed in writing that noxious weeds were growing on the lands of Citi Mortgage Inc. in said township and were about to spread and mature seeds; said lands being described as follows: Parcel No. 1902250, 3475 Cheyenne Trail St. NE, Section 24 SW, Lake Township and there upon said board of township trustees caused said noxious weeds to

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be cut or destroyed by one W.E. Love Landscaping whom the board employed for that purpose.

The following is a statement of the charges of:

The amount paid for the performing of such labor	\$250.00
The amount paid for materials	\$ n/a
The amount paid for equipment	\$ n/a
The amount paid for assessment fees	<u>\$ 75.00</u>
TOTALS	\$325.00

You are hereby requested to cause such amounts, when allowed, to be entered upon the tax duplicate and to be a lien upon such lands of the said Citi Mortgage Inc. above described, from and after the date of the entry, and to be collected as other taxes and returned to the township to be placed in the township general fund.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-360 Mr. Stoll moved the adoption of the following resolution:

WHEREAS, it appearing to the Board of Lake Township Trustees that the notice heretofore provided for by Resolution No. 09-345 (9776 Cleveland Ave.NW) adopted September 14, 2009, has been duly served by certified mail or by publication once in the a newspaper of general circulation in Stark County, Ohio, upon the person therein named, and that he has failed to cut or destroy the noxious weeds or show this Board cause why there is no need for doing so as required under Section 5579.05 of the Ohio Revised Code, by September 24, 2009.

THEREFORE, BE IT RESOLVED that **W.E. Love Landscaping** whose address is **11199 Wright Rd. N.W.** be employed by Lake Township Trustees for an amount not to exceed **\$100.00** for labor, material and equipment, to cut or destroy said noxious weeds, and that a written report be made by this Board to the auditor of Stark County of the cost of the labor, material and equipment and a proper description of the premises, as provided in Section 5579.06, 5579.07 and other provisions of the Revised Code of Ohio. The payment of said labor, material and equipment shall, upon approval of this Board, be paid out of the township general funds.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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**NEW BUSINESS:**

09-361 A resolution was made by Galen Stoll executing the following cemetery deeds:

Uniontown Greenlawn, Section O, Lot 7, Graves 1 & 2  
Uniontown Greenlawn, Section M, Lot 102, Grave 1

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-362 A resolution was made by Galen Stoll executing the following Road Open Permits:

D-09-17: Dominion East Ohio Gas (10631 Mogadore Avenue) gas tie-in  
D-09-18: Dominion East Ohio Gas (10504 Newbury Street) gas tie-in

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-363 A resolution was made by Galen Stoll hiring Lavern Wagler as an auxiliary road department employee (group "A") at \$12.00/hour, subject to the provision of the Lake Township Employee handbook and contingent upon successful completion of a drug test. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-364 A resolution was made by Galen Stoll hiring Tyler J. Boiarski as a Reserve Officer for the Uniontown Police Department, subject to the provisions of the Lake Township Employee Handbook. The Board further acknowledges that he has successfully passed his psychological and drug screening. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-365 A resolution was made by Galen Stoll approving the request to refund \$5.00 to Shawn D. Wood for overpayment of the annual fee for a Home Occupation Permit. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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09-366 Mr. Stoll moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees have groups manning the recycling center four Saturdays a month to assist the residents with their recycling, and

WHEREAS, the Stark-Wayne-Tuscarawas Joint Solid Waste Management District has in the past provided the funding to pay for this program,

THEREFORE, we agree to submit the attached application to the Solid Waste District to continue this program in the amount of \$2,400.00 for the fiscal year, beginning January 1, 2010.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-367 Mr. Stoll moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees entered into a contract with Perry & Associates to conduct the two previous township audits, and

WHEREAS, the Auditor of the State of Ohio has given permission for Lake Township Trustees to extend the contract with Perry & Associate, and township's fiscal officer, likewise recommends this contract amendment,

NOW THEREFORE, be it resolved by the Board of Trustees of Lake Township, Stark County, Ohio, the township fiscal officer is authorized to execute the documents prepared by the Auditor of State's office extending the contract with Perry & Associates to conduct the township's audit for January 1, 2008 through December 31, 2009. In addition, the Fiscal Officer shall appropriate and encumber the funds to cover the cost of said audit in the amount of Nine Thousand Six Hundred Fifty Dollars (\$9,650.00). This figure should cover the expenses of both Perry & Associates' proposed cost estimate of Eight Thousand Six Hundred Fifty Dollars (\$8,650.00) and the additional audit expenses to be charged by the State Auditor's Office.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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09-368 A resolution was made by Galen Stoll authorizing an expenditure in the amount of \$85.00 for Steve Lacey to attend the 2009 Planning & Zoning Workshop on November 13, 2009 in Westlake, Ohio. Cost includes registration which includes meals. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-369 A resolution was made by Galen Stoll in the absence of both the road superintendent and the assistant road superintendent concurrently, the Board authorizes Dale Schrock to act in the capacity of the assistant road superintendent and be compensated at the assistant road superintendent's rate of pay during this time. For these purposes, the Board acknowledges that absence includes, but is not limited to vacation, sick leave and personal time. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-370 A resolution was made by Galen Stoll amending the township's policy of charging a fee for xerox copies, as adopted under Resolution No. 95-327, as follows:

- \$0.05 per page for all black/white copies over five pages
- \$0.15 per page for each color copy

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**MEETING REPORTS**

- None

**FISCAL OFFICER'S REPORT**

09-371 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

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**PUBLIC SPEAKS**

Don Myers, 2314 State St. NE, North Canton; Mr. Myers addressed the Board regarding township wide police protection. He expressed his interest in seeing township wide police protection and also asked for clarification regarding the inclusion of the Township Administrative Building and the Township Road Garage in the Uniontown Police District. Mr. Erb stated that they are paying the Uniontown Police District out of the General Fund for police protection.

Jeff Heimbaugh, 13589 Christine Cir. NW, Uniontown; Mr. Heimbaugh addressed the Board regarding the contracts with the fire departments and ambulance billing. Mr. Heimbaugh read from an Ohio Attorney General's opinion indicating that the township and not the fire departments should be billing for the ambulance service.

09-372 A resolution was made by Galen Stoll adjourning the meeting at 6:58 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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Ben Sommers, Fiscal Officer

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Galen Stoll, President

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John Arnold, Vice President

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Ellis Erb, Member