

The Board of Lake Township Trustees met at a special meeting at 9:30 a.m. at 12360 Market Avenue North, Hartville, Ohio to conduct any final business and payment of any final bills to close-out the 2012 year; the 2013 Organization Meeting will immediately follow with the following members present:

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

Also Present:

Ben Sommers  
Mary Ann Kannam

Joy Dingman

John Arnold called the meeting to order at 9:30 a.m.

12-445 A resolution was made by John Arnold authorizing payment of bills as of December 31, 2012 in the amount of \$47,232.82. Seconded by Galen Stoll. Roll call votes were:

John Arnold      yes  
Ellis Erb          yes  
Galen Stoll        yes

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

12-446 Trustee Arnold, moved the adoption of the following resolution which Amends Resolution No. 08-433, adopted November 24, 2008, to read as follows.

WHEREAS, certain sections of the Ohio Revised Code and numerous 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

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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 seek additional qualified contract-labor operators, and or owner-operators, 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

WHEREAS, the Lake Township Board of Trustees, does hereby declare a necessity to supplement and to increase the pool of qualified contract-labor operators, and or owner-operators, in addition to the current contract with Bontrager Excavating; and, 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 and contracts with any other qualified contract-labor operators, and or owner-operators, shall be implemented; and

NOW THEREFORE BE IT RESOLVED, to authorize the Lake Township Road Superintendent and the Lake Township Fiscal Officer to seek and to contract with qualified contract-labor operators, and/or owner-operators, 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. A qualified independent contractor-labor operator and/or qualified owner-operator shall be 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 proposed in writing by each independent contractor. Each contracted independent contractor shall be responsible for fully covering their workers under their own Workers' Compensation Plan. Each qualified independent contractor labor-operator and/or qualified owner-operator, shall not receive any other compensation or benefits, and shall not exceed 1,500 hours during any twelve (12) month period. The combined costs of all contracted-labor operators and/or owner-operators shall not exceed twenty-five thousand (\$25,000.00) dollars per any twelve (12) month period, and

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BE IT FURTHER RESOLVED, that the Lake Township Board of Trustees, does hereby declare the necessity of this supplemental contract to 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 shall develop and implement guidelines and emergency procedures to determine when and under what circumstances that the independent-contractor labor operator or an owner-operator shall be activated; and

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

**FISCAL OFFICER'S REPORT**

12-447 A resolution was made by John Arnold authorizing the Board and Fiscal Officer to sign all Purchase Orders and Vouchers. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

- The Board acknowledged in accordance with Res. #12-024, the following transfers were made:

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
12/27/12	\$ 600.00	05-A-12 (Other)	05-A-02 (Salaries)
12/27/12	\$14,500.00	09-A-08 (Supplies)	09-A-01 (Salaries)

Purpose: To cover balance of last payroll in 2012

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12-448 A resolution was made by John Arnold adjourning the meeting at 9:32 a.m. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

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Ben Sommers, Fiscal Officer

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John Arnold, President

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Ellis Erb, Vice President

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Galen Stoll, Member

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