

The Board of Lake Township Trustees met at 6:30 p.m. for the purpose of conducting a Public Hearing for the consideration of a possible nuisance situation at 9747 Cleveland Ave NW, Uniontown, Ohio, 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
Earl McClung
Mary Ann Kannam
Sam Miller
Joan M. Weil
Mitchell Sommers

Steve Lacey
Joy Dingman
Aaron P. Floom
Tim Bauer
Pat Farmer

Mr. Stoll called the public hearing to order.

Mr. Stoll explained that the hearing was to determine if the building located at 9747 Cleveland Avenue NW, Uniontown, Ohio 44685, Lake Township, Stark County, Ohio, Permanent Parcel Number 2000897 is insecure, unsafe or structurally defective; and in addition if a nuisance does exist due to miscellaneous solid waste, garbage refuse and other debris located on the property.

Mr. Stoll asked for public comment, hearing none, he closed the public comment portion of the meeting.

The Board reviewed the information provided by the Stark County Health Department and the Stark County Building department.

13-089 Mr. Stoll moved the adoption of the following resolution:

WHEREAS, pursuant to Ohio Revised Code Section 505.86 the Lake 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 any fire department under contract with the township or by the county building department or other authority responsible under Chapter 3781 of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or buildings or other structures that have been declared unfit for human habitation by the Board of Health of the general health district of which the township is a part; and Lake Township Board of Trustees may provide for the abatement, control, or removal of vegetation, garbage, refuse and other debris under Ohio Revised Code Section 505.87; and,

WHEREAS, the Stark County Building Department and the Stark County Health Department have issued letters declaring that the building located at 9747 Cleveland Avenue NW, Uniontown, Ohio, Lake Township, Stark County, Ohio, Permanent Parcel Number 2000897, is insecure, unsafe, or structurally defective. Copies of their declaration letters are incorporated herein by reference as if fully rewritten herein; and,

WHEREAS, at least 30 days prior to the removal or repair, of any insecure, unsafe, or structurally defective building, the Board of Township Trustees shall give notice by certified mail of its intention with respect to the removal or repair of buildings or other structures and for the abatement, control, or removal of solid waste, garbage, refuse and other debris to the holders of legal or equitable liens of record upon the real property on which the building is located and to owners of record of the property; and,

WHEREAS, a search of the Stark County Official Records demonstrates that Ralph M. Sharpe and Dorothy T. Sharpe, whose address is 9747 Cleveland Avenue NW, Ohio, 44685, are the owners of record and that there are holders of legal or equitable liens of record; and,

WHEREAS, it is the intention of the Lake Township Board of Trustees to remove or repair the building that is located on the subject parcel of real property under Ohio Revised Code Section 505.86 and further to provide for the abatement, control, or removal of solid waste, garbage, refuse and other debris under Ohio Revised Code Section 505.87; and,

WHEREAS, if the owners of record of the subject parcel of real property or the holders of liens of record upon the property do not enter into an agreement with the Lake Township Board of Trustees to remove the building or perform the repairs to the insecure, unsafe, or structurally defective building, or provide for the abatement, control, or removal of solid waste, garbage, refuse and other debris within thirty (30) days from the date of receipt of a copy of this resolution, then the Lake Township Board of Trustees shall demolish and remove the building and provide for the abatement, control, or removal of solid waste, garbage, refuse and other debris and the Lake Township Fiscal Officer shall certify the total cost, together with the proper description of the lands to the Stark County Auditor who shall place the costs upon the tax duplicate and the costs shall become a lien upon the lands from and after the date of entry which shall be collected as other taxes and returned to the Lake Township General Fund. The Fiscal Officer shall assess the "total cost", as defined in ORC 505.86(A); and,

NOW, THEREFORE, BE IT RESOLVED that pursuant to Ohio Revised Code Section 505.86, and upon the recommendation of the Stark County Building Department and the Stark County Health Department, the Lake Township Board of Trustees does hereby declare that the building located at 9747 Cleveland Avenue NW, Uniontown, Ohio 44685, Lake Township, Stark County, Ohio, Permanent Parcel Number 2000897 is insecure, unsafe, or structurally defective; and in addition pursuant to Ohio Revised Code Section 505.87 the Lake Township Board of Trustees does hereby declare

that a nuisance does exist due to the miscellaneous solid waste, garbage, refuse and other debris located on the property; and,

BE IT FURTHER RESOLVED, that at least 30 days prior to the removal or repair of any insecure, unsafe, or structurally defective building, and prior to providing for the abatement, control, or removal of solid waste, garbage, refuse and other debris the Lake Township Zoning Administrator for the Lake Township Board of Trustees shall give notice by certified United States mail, return receipt requested, and also by regular United States mail of this Board's intention with respect to the removal or repair of the structure and the abatement control, or removal of solid waste, garbage, refuse and other debris, to the holders of legal or equitable liens of record upon the real property on which the building is located and to owners of record of the property by providing them a Notice to Abate Nuisance along with a copy of this Resolution. In addition, the Lake Township Zoning Administrator shall place a Notice to Abate Nuisance in a newspaper of general circulation in accordance with the time frame aforementioned; and,

BE IT FURTHER RESOLVED, that the Notices shall be made upon, Ralph M. Sharpe and Dorothy T. Sharpe, whose address is 9747 Cleveland Avenue NW, Ohio, 44685, the owners of record by certified United States Mail, return receipt requested, and also by ordinary United States mail, and to all holders of legal or equitable liens of record; and,

BE IT FURTHER RESOLVED, that it is the intention of the Lake Township Board of Trustees to remove or repair the building that is located on the subject parcel of real property under Ohio Revised Code Section 505.86 and further to provide for the abatement, control, or removal of solid waste, garbage, refuse and other debris under Ohio Revised Code Section 505.87; and,

BE IT FURTHER RESOLVED, that if the owners of record of the subject parcel of real property or the holders of liens of record upon the property do not enter into an agreement with the Lake Township Board of Trustees to perform the removal or repairs of the insecure, unsafe, or structurally defective building, or abate, control, or remove the solid waste, garbage, refuse and other debris, within thirty (30) days from the date of receipt of this resolution, then the Lake Township Board of Trustees shall demolish and remove the building and provide for the abatement, control, or removal of the solid waste, garbage, refuse and other debris and the Lake Township Fiscal Officer shall certify the total cost, together with the proper description of the lands to the Stark County Auditor who shall place the cost upon the tax duplicate and the cost shall become a lien upon the lands from and after the date of entry which shall be collected as other taxes and returned to the Lake Township General fund shall assess the "total cost", as defined in ORC 505.86(A); and,

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 John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-090 A resolution was made by Galen Stoll adjourning the meeting at 6:35 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

Galen Stoll called to order the regular meeting at 6:36 p.m.

13-091 A resolution was made by Galen Stoll approving the minutes of February 11, 2013, as submitted. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-092 A resolution was made by Galen Stoll authorizing payment of payroll for February 28, 2013, in the amount of \$9,873.42. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-093 A resolution was made by Galen Stoll authorizing payment of payroll for March 1, 2013, in the amount of \$52,758.92. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-094 A resolution was made by Galen Stoll accepting/approving the Financial Report as of February 25, 2013, 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

13-095 A resolution was made by Galen Stoll authorizing payment of bills as of February 25, 2013 in the amount of \$103,338.93. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board noted that \$14,000 was for salt and \$16,000 was for the playground equipment half of which will be reimbursed through a grant.

CORRESPONDENCE

1. Stark Council of Governments -- March 5, 2013 Agenda and December 4, 2012 Minutes
2. Stark County Regional Planning Commission -- Notice of Subdivision Review
3. Ohio Public Employees Retirement System -- OPERS *Employer Notice*
4. Chesapeake Energy -- Weekly Activity Reports (February 11, 2013 & February 18, 2013)
5. Ohio Department of Public Safety -- License Tax Statistical Reports
6. Jimmy and Sean Guthridge -- township questions regarding barking dogs, tall grass
7. Stark Soil & Water Conservation District -- Site Inspection Report (The Enclave No. 3)
8. Stark County Metropolitan Sewer District -- notice of upcoming changes to their billing procedures
9. U.S. Army Corps of Engineers -- invitation to the Section 729 Nimishillen Creek Watershed Kick Off Meeting on February 28, 2013
10. Stark County GIS Department -- notice and reminder of February 20, 2013 GIS meeting
11. Stark County Engineer -- notice of April 12, 2013 annual meeting with the Road Superintendents and the April 20, 2013 annual meeting with the township trustees and fiscal officers
12. Stark County Regional Planning Commission -- notice of Citizen Advisory Council Members Recommendation meeting on February 28, 2013
13. Ohio Township Association -- legislative update
14. NEFCO -- February 20, 2013 Tentative Agenda
15. Dave Yost/Ohio State Auditor -- notice of 14th Annual Local Government Officials' Conference
16. Stark County Regional Planning Commission -- notice of March 5, 2013 meeting
17. Stark County Regional Planning Commission GIS Department -- notice of February 27, 2013 Storm Water Consortium Update

- In reference to correspondence No. 17 – The Zoning Administrator will attend

DEPARTMENT REPORTS

Police Department

- None

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- The Board acknowledged receipt of the January 2013 Statistical Report from the Uniontown Fire Department.

OLD BUSINESS:

- None

NEW BUSINESS:

13-096 A resolution was made by Galen Stoll authorizing the Board to execute the following Cemetery Deed:

East Nimishillen Cemetery - Section C, Lot 102, Graves 3 and 4

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-097 A resolution was made by Galen Stoll authorizing the Fiscal Officer to release the Bond for Road Open Permit No. O-13-01 received of Bontrager Excavating for work performed on Brunner Avenue. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-098 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, pursuant to ORC 709.192, a board of township trustees, by resolution, and a municipal corporation may enter into an annexation agreement, and

WHEREAS, Mary E. Nichols, hta MNBS, LLC, has petitioned the Village of Hartville to annex two parcels of real property situated at 1400 Edison Street NE, Stark County Auditor's Permanent Parcel Numbers 1900550 and 1900551, from Lake Township into the Village of Hartville, and

WHEREAS, the Village of Hartville has proposed an Annexation Agreement to the Board of Trustees upon terms and conditions acceptable to the property owner, to

the Hartville Village Council and to the Lake Township Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED that pursuant to the authority vested by Revised Code section 709.192, the Board does hereby approve and accept the "**Lake Township - Village of Hartville Annexation Agreement Regarding 1400 Edison St. NE, Hartville, Ohio 44632**" as attached hereto and fully incorporated herein by reference.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-099 A resolution was made by Galen Stoll to waive the zoning fee for the temporary sign permit as requested in the February 19, 2013 letter from Lake Center Christian School for their 27th Annual Benefit Auction. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-100 A resolution was made by Galen Stoll authorizing an expenditure not to exceed \$7,500.00 for fencing to be placed on the south side of Section 3 of Mt. Peace cemetery. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

MEETING REPORTS:

- The Board attended the Stark County Township Association meeting where the Stark County Commissioner gave a report.

FISCAL OFFICER’S REPORT

13-101 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

PUBLIC SPEAKS

John Kungle, 1102 Meandering Creek, Uniontown; John is a member of Boy Scout Troop 35. He attended the meeting as a requirement for his Citizenship in the Community Merit Badge.

Tim Bauer, 13555 Hill Ave. NW, Uniontown; Mr. Bauer addressed the Board regarding a neighbor who has 10 dogs which are barking at night. He is also concerned about the health of the animals and how he is disposing of the animal waste. The Police Chief said they will cite residents if they are called and the dogs are barking longer than 15 minutes at night. He suggested the neighbors use the Stark County Mediation Center to help them work out their differences. The Zoning Administrator will provide contact information for the mediation center as well as the Stark County Health Department to address the health and waste disposal concerns.

Stephanie Crossland, 13550 Glenvale Ave., Uniontown; Ms. Crossland also addressed the Board regarding the dogs. She is concerned about the sturdiness of the kennels and if they will be able to contain the dogs.

Joan Weil, 3291 Oaklynn St., Uniontown; Ms. Weil also addressed the Board regarding the dogs, she is concerned that they will not be cared for.

Pat Farmer, 3361 Oaklynn St., Uniontown; Ms. Farmer addressed the Board regarding the police sitting by her house which is next door to the neighbor with all the dogs and causing her dog to bark. The Board said they will do everything they can to come to some kind of resolution.

Mitch Sommers, 3185 State ST NW, North Canton; Mr. Sommers expressed his thanks to Mr. Lacey, the Zoning Administrator for addressing the situation at 9747 Cleveland Ave.

13-102 A resolution was made by Galen Stoll adjourning the meeting at 7:15 p.m. Seconded by Ellis Erb. 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

