

The Board of Lake Township Trustees met in regular session at 6:30 p.m. at 12360 Market Avenue North, Hartville, Ohio with the following members present:

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

Also Present:

Ben Sommers	Mary Ann Kannam
Sam Miller	Joy Dingman
Jeff Wendorf	Nicole Nichols
Lynn Wilt	Michael Wilt
David Poling	Daniel R. Kamerer

Galen Stoll called the regular meeting to order.

- The Board proceeded to open and review the bids received for the Salt Storage Building For Lake Township (2 bids received).

1. Mud Construction

Building footings, column pads, walls & floor	\$177,949.00
non-prevailing wage	\$169,136.00

2. Miller Builders

Tension fabric structure/cover	\$ 57,480.00
non-prevailing wage	\$ 54,780.00
Combination bid package	\$225,980.00
non-prevailing wage	\$198,780.00

- 13-193 A resolution was made by Galen Stoll tabling any decision of awarding the contract pending further review by legal counsel, the Township Administrator, a board representative and the Road Superintendent. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- 13-194 A resolution was made by Galen Stoll authorizing payment of payroll for June 21, 2013 in the amount of \$71,645.54. Seconded John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-195 A resolution was made by Galen Stoll accepting/approving the Financial Report as of June 10, 2013, as submitted by the Lake Township Fiscal Officer. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-196 A resolution was made by Galen Stoll authorizing payment of bills as of June 10, 2013 in the amount of \$59,458.21. Seconded by John Arnold. Roll call votes were

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

CORRESPONDENCE

1. Ohio Township Association -- legislative alerts
2. CareWorks -- notice that Ohio Bureau of Workers' Compensation has approved \$1 Billion Rebate and a Premium Rate Reduction
3. Stark County Township Association -- June 20th Meeting Notice
4. Stark County Auditor -- Certificate of Estimated Property Tax Revenue for the 1.25 mill road renewal levy as requested
5. Canton City Health Department/Air Pollution Control Division -- public awareness relating to asbestos regulations
6. Ohio Public Employees Retirement System -- *Employer Outreach* Newsletters
7. The Knowles Press, Inc. -- notice of June 24-28, 2013 closing for vacation
8. Ohio Department of Transportation -- notice of Township Signage Upgrade Grant Award
9. Ohio Public Employees Retirement System -- *Employer Notice(s)*
10. Security Benefit -- notice of upcoming merger of the Invesco Dynamics Fund in the Invesco Mid Cap Growth Fund
11. Chesapeake Energy -- Weekly Activity Report for 05-27-2013
12. Change.org -- statements regarding bear incident
13. State Employment Relations Board -- notice of 2013 State Employment Relations Board fact-finding conference
14. Ohio Department of Transportation -- notice that a pre-construction conference for SR619 Signal Upgrades project is scheduled for June 10, 2013 at 12:00 p.m. in the Construction Conference Room in District 4 Office
15. Stark Soil & Water Conservation District -- Site Inspection Report (Glengarry Allotment)
16. Craig Lonce -- notice that registration is now open for the 2013 Lake Y Challenge
17. Dave Agnes -- comments regarding the new recycle/yard waste facility
18. Amy Barrington -- questions as to where to recycle electronics
19. Stark County Regional Planning Commission -- June 2013 Agenda
20. Dave Yost/Auditor of State -- Auditor of State Bulletin 2

21. The Public Utilities Commission of Ohio -- Entry in the Matter of the Commission's Review of the Natural Gas Retail Market Development Case No. 13-1307-GA-COI

- The Board read a late notification from the Stark County Engineers stating that Congress Lake Avenue is closed until further notice due to emergency repairs to a bridge on Congress Lake Avenue one quarter mile north of Swamp Street. Motorists should reroute using Swamp, Duquette Avenue and Pontius Street.

DEPARTMENT REPORTS

Police Department

- The Board acknowledged receipt of the May 2013 Uniontown Police Statistical Report.

Road Department

- None

Zoning Department

- The Board acknowledged receipt of the May 2013 Zoning Report.

Fire Departments/Fire Prevention Office

- The Board acknowledged receipt of the April 2013 Statistical Report for the Uniontown Fire Department.

OLD BUSINESS:

13-197 A resolution was made by Galen Stoll accepting the May 17, 2013 quote from Marlboro Supply, for the Stark County Engineer's Office, in the amount of \$24,727.20 for the purchase of culvert pipe as part of the Fallview Street County Off-Road Drainage project. Funds are to be taken from the General Fund at this time. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- Ellis Erb spoke with Ted Rohr and Richard Regula regarding completing the entire project this year. The Township is supplying the pipe but all other materials and labor will be provided by the county.

NEW BUSINESS:

13-198 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle and Wild Mustard are growing on the lands in charge of Rose A. Strasser in this township, described as follows: Parcel 1900184 Map Routing # 19 034NW 01-1600.

THEREFORE, BE IT RESOLVED that said Rose A. 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 John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-199 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Canada Thistle and Wild Mustard are growing on the lands in charge of Jeffrey R. Marshall in this township, described as follows: Parcel 2014318 Map Routing # 20 029NW 02-2600.

THEREFORE, BE IT RESOLVED that said Jeffrey R. Marshall whose address is 3474 Wright Rd. NW Uniontown, OH 44685 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 John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-200 A resolution was made by Galen Stoll authorizing the Board to execute the following Road Open Permits:

- D-13-20: Dominion East Ohio - 2481 Serravalle Street NW (tie-in new service)

- D-13-21: Dominion East Ohio - 10071 Bentgrass Avenue (tie-in new service)
- D-13-22: Dominion East Ohio - Timberview NW (install anodes)
- D-13-23: Dominion East Ohio - Clarence NW (install anodes)

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-201 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to execute a Notice of NatureWorks Grant Agreement, regarding the playground equipment, pursuant to Resolution No. 11-064. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-202 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, the Developer and Contractor for Enclave No. 3 Allotment as situated within Lake Township, Stark County, has not completed the superstructure and infrastructure developments as required by the Stark County Subdivision Requirements; and

WHEREAS, the Developer and Contractor for Enclave No. 3 Allotment as situated within Lake Township, Stark County, has posted a performance bond with the Stark County Commissioners, as the legislative authority over the Stark County, Subdivision Engineer; and

WHEREAS, the Developer and Contractor for Enclave No. 3 Allotment are determined to be uncollectible, and the Assistant Stark County Prosecuting Attorney and the Stark County Subdivision Engineer have suggested to the Lake Township Board of Trustees that any further bond monies are of no value and the likelihood of completion by the Developer and Contractor is improbable; and

WHEREAS, the Stark County Subdivision Engineer is recommending to the Lake Township Board of Trustees and to the Stark County Board of Commissioners, that the remaining claims against the Developer and Contractor for Enclave No. 3 Allotment be waived as uncollectible and that the subdivision be accepted in its current condition.

NOW THEREFORE, BE IT RESOLVED, that the Lake Township Board of Trustees does hereby accept and does consent to the recommendation of the Stark County Engineer to the Stark County Board of Commissioners to accept the Enclave No. 3 Allotment in its

current state of completion and to not further pursue claims against the Developer, Contractor or bonding company as being uncollectible; and

BE IT FURTHER RESOLVED that the Lake Township Board of Trustees does consent to the Board of Stark County Commissioners accepting the Enclave No. 3 Allotment in its current state of completion and condition; and

BE IT FURTHER RESOLVED that the Lake Township Board of Trustees does not agree to and will not complete any of the deficiencies, including the completion of sidewalks within the Enclave 3 Allotment all as is more directly and specifically set forth in the construction inspection report as prepared by the Stark County Subdivision Engineer dated April 17, 2012, and attached hereto and made a part hereof; 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 Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-203 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, the Stark County Subdivision Engineer has informed the Lake Township Board of Trustees that within the Glengarry No. 1 Allotment, the Dominion East Ohio Gas Company has installed its gas line main approximately 2-feet behind the streets' concrete curbs. The location of the gas line mains were shown on this allotment's approved and recorded final plat to be 1-foot outside of the streets' public right-of-ways. The Stark County Subdivision Engineer is recommending that they be relocated and properly installed and the current gas main line pipe be removed.

WHEREAS, failure to relocate the gas main line and remove the improperly placed gas line will interfere with residential connection of downspout and lateral drain lines to the storm sewer, will interfere with future storm sewer maintenance and repairs and due to the close proximity to the street curbs and gutters will interfere and increase the difficulty of any maintenance and repairs to the street curbing.

NOW THEREFORE, BE IT RESOLVED, that the Lake Township Board of Trustees does hereby accept and does hereby declare that it agrees with the recommendation of the Stark County Subdivision Engineer and supports the Subdivision Engineer's efforts to cause the Dominion East Ohio Gas Company to relocate the gas main line and remove the

improperly placed gas line so as to not interfere with residential connection of downspout and lateral drain lines to the storm sewer, not interfere with future storm sewer maintenance and repairs and to not be so close to the concrete curbs and gutters as to interfere and increase the difficulty of any maintenance and repairs to the street curbing, within the Glengarry No. 1 Allotment, Lake Township.

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 Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- 13-204 A resolution was made by Galen Stoll tabling the Tax Increment Financing (TIF) Lake Township 619 Corridor Improvement Project Number 2 (Troyer Corp) until the June 24, 2013 meeting. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- 13-205 A resolution was made by Galen Stoll tabling the Tax Increment Financing (TIF) Lake Township 619 Corridor Improvement Project Number 3 (HRM Enterprises, Inc.) until the June 24, 2013 meeting. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- 13-206 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, Timothy Gross has been working for Lake Township Road Dept. on a part-time/seasonal basis since December of 2010, and

WHEREAS, the Lake Township Board of Trustees desire to change his employment status with the township from part-time/seasonal road department employee to full-time road department labor/operator,

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Lake Township, Stark County, Ohio, as of June 22, 2013, or sooner if his schedule permits, Timothy Gross' employment status will change from part-time/seasonal road employee

to full-time road department labor/operator with an hourly rate change to \$17.57 per hour, and

FURTHERMORE, all other provisions of the Lake Township Employee Handbook and/or the Utility Workers Union of America AFL-CIO Local #578 Contract other than the new hourly rate, shall apply to Mr. Gross as though he were a newly hired fulltime road department employee. This shall include a 90-day probation period beginning June 22, 2013, or sooner if his schedule permits.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-207 A resolution was made by Galen Stoll approving the June 6, 2013 request of Steve Lacey to attend an MS4 Training Session on June 20, 2013 in Highland Hills, Ohio. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-208 A resolution was made by Galen Stoll approving the June 4, 2013 request of Steve Lacey to attend an Ohio Township Association Grant Workshop on June 24, 2013 at the OTA Headquarters in Blacklick, Ohio. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-209 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, the Board of Lake Township Trustees has previously declared the property at 3970 Edison Street NW, Uniontown, pursuant to Resolution No. 13-184 adopted on May 28, 2013, to be a nuisance due to the owner's maintenance of garbage, vegetation, refuse and other debris; and

WHEREAS, the Board of Lake Township Trustees has determined, based on information provided by the Zoning Administrator, that the property has been mowed; therefore abating the vegetation portion of the nuisance. The Board further determines, based on information provided by the Zoning Administrator, that it is the intent of the lender, as an interested party in this property, to provide for the cleanup of the garbage, refuse and other debris still remaining on said property.

THEREFORE BE IT RESOLVED, that the Lake Township Board of Trustees does accept the offer of Trash Daddy Junk Removal in the amount of \$395.00 for cleanup of

garbage, refuse and other debris from 3970 Edison Street NW, Uniontown, in the event the lender does not provide for the cleanup of said items in a timely manner, two weeks.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

13-210 A resolution was made by Galen Stoll authorizing correspondence be forwarded to the Stark County Subdivision Engineer, pursuant to his request, accepting the partial encroachment into the road right of way of a landscape mound in the Glengarry Allotment No. 1. The Board further directs that said correspondence include provisions that the Township, in the event of disturbing this landscape mound, during maintenance or any work within the road right of way, will not return the disturbed portion of the encroaching mound back to the state that it was found, but will instead return the area to a state as determined by the Township. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

MEETING REPORTS/MISCELLANEOUS

- None

FISCAL OFFICER’S REPORT

13-211 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to sign all Purchase Orders and Vouchers. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

PUBLIC SPEAKS

Craig Lonce 1013 Radway Cir. NE, Hartville; Mr. Lonce addressed the Board regarding the second annual Lake YMCA Challenge 5K obstacle course, registration is open, this years event includes a kids challenge. He asked the Board for permission to use the soccer fields in addition to the areas used last year. The Board granted permission but told him to check with the other groups that use the fields to insure they would be available.

Jeff Wendorf, Superintendent of Schools, Lake Local Schools, 1602 Connerstone St., Hartville; Mr. Wendorf addressed the Board at the request of the Board of Education. Mr. Wendorf read a list of concerns from the Board of Education regarding the tabled TIF Resolutions, a copy of which has

been attached and made a part of these minutes. The Board stated that the TIF is only for the improvements to the properties and can only be used for the 619 project.

Michael Wilt, 1732 Edison St. NW, Uniontown; Mr. Wilt addressed the Board regarding Social Media. He asked the Board if they had a social media strategy. The Board responded that they have discussed it but it is something that would not be put into place without rules and guidelines. If and when it happens it will be done very cautiously and managed properly. They also want to be sure it would be an actual service to the residents.

Dave Poling, Lake Local School Board, 3354 Linden St., Uniontown; Mr. Poling asked the Board to strongly reconsider the TIF and instead place a levy on the ballot to raise the funds.

Sam Miller, 410 Jerome Ave. SW, Hartville; Mr. Miller commented to the Board regarding the TIF. He stated that it was for limited number of years and the school would still receive 25% of the increased taxes collected from those properties and after 10 years they would receive the entire amount.

13-212 A resolution was made by Galen Stoll adjourning the meeting. 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

