

The Board of Lake Township Trustees met at 6:15 p.m. for the purpose of conducting a Public Hearing for possible nuisance abatement at 10301 Middlebranch and immediately f in regular session at 12360 Market Avenue North, Hartville, Ohio, with the following members present:

Ellis Erb, President
Sue Ruley, Vice President
Galen Stoll, Member

Also Present:

Ben Sommers, Fiscal Officer	Steve Lacey
B.J. Plappert	Don Myers
Diane Becker	Mark Stevenson
Diane Stevenson	Mary Ann Kannam
Don Hensley	Ray Bergdorf
Tom Renner	Harrel Brooks
Nesbitt	Charles Shephard
Joy Dingman	Martha Myers
Mary Mihiylov	Nick J. Mihiylov
Tom Besenyodi	Julia Besenyodi
Dennis Boley	Patricia Boley
Don Wise	

Mr. Erb called the meeting to order and opened the public hearing at 6:15 p.m. for a possible nuisance at 10301 Middlebranch Avenue NE. Board reviewed the photographs taken today and discussed the matter amongst them. Steve Lacey reported that there has been no change/improvement since the last time he inspected the property.

- Diane Becker, 10301 Middlebranch Avenue NE, (oath): Addressed the Board in reference to the condition of her property. She said that the condition has improved, that they have cleaned up leaves/branches since the last time the Zoning Administrator was out to her house. Mrs. Becker asked the Board why another home in her neighborhood is permitted to have several inoperable vehicles and a bus in their driveway. Also, asked how Mr. Estep can have a fence that is higher than 3 1/2' past the front of his house? She said that Mr. Estep continues to dump his logs, leaves and other yard debris over the fence into her yard and that he is harassing her. She informed the Board that the car in the photo belongs to her son and that it is operable as he drives it on a regular basis.
- Mark Stevenson, 6657 Middlebranch Avenue, (oath): Addressed the Board and said that he would like to support the character of the Becker family. He believes there may be a miscommunication as to what items on the Becker's property are acceptable by the Township and what items are not. He suggested/asked that the Township give her a specific list of what items need to be cleaned up and what items are okay. He will try and help her as much as he can.

06-202 A resolution was made by Ellis Erb extending the deadline for the Becker's to have the property cleaned up at 10301 Middlebranch Avenue, until Monday June 12, 2006, at which time, if the property is not cleaned up, the Board will take further action. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

- Mr. Erb called the regular session of the Board to order.

06-203 A resolution was made by Ellis Erb approving the minutes of May 8, 2006, as submitted. Seconded by Sue Ruley. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-204 A resolution was made by Ellis Erb approving the minutes of May 12, 2006, with an amendment to Resolution No. 06-200 clarifying that when an auxiliary officer is scheduled, as needed, to fill-in for a full-time officer, that auxiliary will be paid at the regular auxiliary rate of pay; this is in accordance to the letter, dated May 11, 2006 from the Ohio Patrolmen's Benevolent Association. Seconded by Sue Ruley. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-205 A resolution was made by Ellis Erb authorizing the payment of payroll for May 31, 2006, in the amount of \$7,792.94. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-206 A resolution was made by Ellis Erb authorizing the payment of payroll for June 2, 2006, in the amount of \$36,010.07. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-207 A resolution was made by Ellis Erb accepting/approving the Financial Status Report as of May 22, 2006, as submitted by the Lake Township Fiscal Officer. Seconded by Sue Ruley. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-208 A resolution was made by Ellis Erb authorizing the payment of bills as of May 22, 2006 in the amount of \$60,746.13. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

CORRESPONDENCE

1. Randy Gonzalez – Minutes of February 1 meeting regarding loss of personal property taxes, and invitation to attend June 1 meeting in Groveport
2. Reminder of Subdivision Action for Clearwater Park deck addition and Bedrock Construction pole building
3. Ohio Job & Family Services – Survey
4. Ohio Public Employees Deferred Compensation Program – Informational brochures
5. Notice of Subdivision Action for Randy Geitgey Duplex, Uniontown Car Wash addition, The Highlands, Highland Creek, and St. James Place
6. Hammontree & Assoc. – Storm Water Permit application assistance
7. Frank Gates – Endorsement for CareWorks
8. U.S. EPA – Close-out of grant
9. *Grassroots Clippings*
10. Perry & Associates – Requesting information to begin 2004 and 05 audit
11. Stark SWCD Site Inspection Reports
12. Copy of correspondence to property owners in the Village Manor allotment regarding proposed sanitary sewer service, Project 554

- With reference to Correspondence No. 1, Ben and Sue will attend.

DEPARTMENT REPORTS:

06-209 A resolution was made by Ellis Erb authorizing the hiring of Tracey Kuta, as a temporary part-time secretary for the Uniontown Police Department at a rate of \$11.75 per hour, effective May 17, 2006, pursuant to all provisions of the Employee Handbook and contingent upon successful completion of a drug test. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

- Board acknowledged receipt of the Lake Township Zoning Year to Date Report for April 2006
- Board acknowledged receipt of the Hartville Fire Department Quarterly Financial Report dated March 31, 2006.

OLD BUSINESS

06-210 Mr. Erb made the following resolution:

WHEREAS, the Uniontown Police District, Lake Township, Stark County, Ohio, presently operates through funds generated by two separate levies, to wit: May 3, 1988, 5.00 voted millage, yielding an approximate effective millage of 2.34 mills and November 7, 1995, 3.00 voted millage, yielding an approximate effective millage of 1.78 mills with each operating as a continuous levy. Said voted millage totaling 8.00 mills yields an approximate effective millage of only 4.11 mills.

WHEREAS, pursuant to Ohio Revised Code Sections 505.51, 5705.19(J), 5705.191, and 5705.25 and upon due investigation and consideration the Board has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for the Uniontown Police District, Lake Township, Stark County, Ohio, for a continuing period of time beginning in the tax year 2006, first due in calendar year 2007, will be insufficient to provide an adequate amount 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, including the payment of the police employer's contribution required under Section 742.33 of the Revised Code, or the payment of the costs incurred by townships as a result of contracts made with other political subdivision in order to obtain police protection, for the Uniontown Police District, Lake Township Stark County, Ohio; and,

WHEREAS, by reason whereof this Board has determined that it will be necessary to levy an additional tax of two and eight-tenths (2.8) mills, for a continuing period of time beginning in the tax year 2006, first due in calendar year 2007, 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, including the payment of the police employer's contribution required under Section 742.33 of the Revised Code, or the payment of the costs incurred by townships as a result of contracts made with other political subdivision in order to obtain police protection, for the Uniontown Police District, Lake Township Stark County, Ohio; and,

WHEREAS, by reason of the facts above set forth, this Board has determined that it should, and hereby does, declare itself to submit to the electors of the Uniontown Police District, Lake Township, Stark County, Ohio, at a Special Election to be held August 8, 2006, the question of levying an additional tax of two and eight-tenths (2.8) mills outside the ten (10) mill limitation 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, including the payment of the police employer's contribution required under Section 742.33 of the Revised Code, or the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the Uniontown Police District,

Lake Township, Stark County, Ohio, for a continuing period of time beginning in the tax year 2006, first due in calendar year 2007.

NOW, THEREFORE, BE IT RESOLVED that there shall be submitted to the electors of the Uniontown Police District, Lake Township, Stark County, Ohio at a Special Election to be held on August 8, 2006, the question of levying an additional tax outside the ten (10) mill limitation in and for the Uniontown Police District, Lake Township, Stark County, Ohio, in the amount of two and eight-tenths (2.8) mills 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, including the payment of the police employer's contribution required under Section 742.33 of the Revised Code, or the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the Uniontown Police District, Lake Township Stark County, Ohio, and that said additional tax of two and eight-tenths (2.8) mills shall be levied for a continuing period of time beginning in the tax year 2006, first due in calendar year 2007.

BE IT FURTHER RESOLVED that the submission of said proposal, the notice of election, the form of ballot, the certification of the levy as voted outside the ten (10) mill limitation, and the levying of such millage shall be in accordance with the provisions of Sections 505.51, 5705.19(J), 5705.191, and 5705.25 and other related sections of the Revised Code of Ohio, in accordance with the statutes in such cases made and provided; and,

BE IT FURTHER RESOLVED that the form of ballot case at such election shall be:

(A majority affirmative vote is necessary for passage.)

An additional tax for the benefit of the Uniontown Police District, Lake Township, Stark County, Ohio, 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, including the payment of the police employer's contribution required under Section 742.33 of the Revised Code, or the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the Uniontown Police District, Lake Township, Stark County, Ohio, at a rate not exceeding two and eight-tenths (2.8) mills for each one dollar (\$1.00) of valuation, which amounts to twenty-eight cents (\$0.28) for each one hundred dollars (\$100.00) of valuation for a continuing period of time commencing in 2006, first due in calendar year 2007.

FOR THE TAX LEVY:

AGAINST THE TAX LEVY:

BE IT FURTHER RESOLVED that the Clerk of this Board be, and he hereby is, directed and authorized to proceed forthwith the certification hereof to the Board of Elections of Stark County, Ohio, pursuant to the provisions of Sections 505.51, 5705.19(J), 5705.191, and 5705.25 and other related statutes and to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution.

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 Sue Ruley. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-211 Mr. Erb made the following resolution:

WHEREAS, the Board of Trustees for Lake Township Stark County, Ohio, at its regular meeting on May 22, 2006, passed a resolution to consider submitting the question of an additional tax to operate the Uniontown Police District, Lake Township, Stark County, Ohio as authorized by Ohio Revised Code Sections 505.51, 5705.19(J), 5705.191, and 5705.25; and,

WHEREAS, Ohio Revised Code Section 5705.03 (B) requires the Stark County Auditor to certify the millage necessary, under the current tax valuation of the subdivision and the amount of revenue that will be produced by a proposed additional levy, pursuant to Ohio Revised Code Sections 505.51, 5705.19(J), 5705.191, and 5705.25; and,

WHEREAS, the Board of Trustees for Lake Township hereby requests the Stark County Auditor to certify the dollar amount that will be generated by a 2.8 mill additional levy for a continuing period of time commencing in 2006 and first due in calendar year 2007.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees for Lake Township Stark County, Ohio, does hereby request the Stark County Auditor, pursuant to Ohio Revised Code Section 5705.03 (B), to certify the current tax

valuation of the Uniontown Police District and the dollar amount that will be generated by a 2.8 mill additional levy at a Special Election to be held on August 8, 2006.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

NEW BUSINESS

06-212 A resolution was made by Ellis Erb, determining that the 1997 Ford Crown Victoria, Serial No. 2FALP71W8VX113083, is no longer needed by the Township, and further determining, pursuant to information derived from an online source, Edmunds Car Appraisal, that the fair market value of the vehicle is less than \$2,500.00. Therefore, the vehicle will be sold by private sale in accordance with Section 505.10 of the Ohio Revised Code. A Bill of Sale and Determination of Fair Market Value will be kept on file. Seconded by Sue Ruley. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-213 A resolution was made by Ellis Erb, determining that the 2001 Chevrolet Impala police cruiser, Serial No. 2G1WF55K019201798, is no longer needed by the Township, and further determining, pursuant to information derived from an online source, Edmunds Car Appraisal, that the fair market value of the vehicle is less than \$2,500.00. Therefore, the vehicle will be sold by private sale in accordance with Section 505.10 of the Ohio Revised Code. A Bill of Sale and Determination of Fair Market Value will be kept on file. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

06-214 A resolution was made by Ellis Erb authorizing the Board to execute an Agreement with Carol Brown DBA Carol Brown Cleaning Service for cleaning services for the period July 1, 2006 and continuing through June 30, 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

NOTE: There was no increase in cost for cleaning services.

06-215 A resolution was made by Ellis Erb amending Resolution No. 01-543 to allow Capital Projects Fund to accumulate for 10 years, pursuant to Ohio Revised Code Section 5705.13, instead of five years as previously allowed. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

- The Board executed a Road Open Permit with Dominion East Ohio Gas, to release a leaking gate valve at Brouse and Bellhaven.

06-216 A resolution was made by Ellis Erb directing a letter to Stark County Subdivision Engineer approving the installation of concrete walks and curb ramps within the proposed street right-of-ways for the Highlands No. 3 Allotment. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

NOTE: Construction plans must be approved by the Subdivision Engineer and the Township Road Superintendent.

06-217 A resolution was made by Ellis Erb authorizing a request for a waiver of the \$50.00 Conditional Use Permit (continual) for the Lake Township Historical Society Museum on Myers Street in Greentown. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

MEETING REPORTS:

- Sue noted that the Board needs to find out when the next Stark County Township Association meeting will take place. Mike Cochran, President of the Ohio Township Association will be the speaker and he will be speaking about tax issues in the State of Ohio. Sue suggested that the Board may want to invite someone from the School (Bob Moffat) and any others who may be interested.

FISCAL OFFICER’S REPORT:

None

PUBLIC SPEAKS:

- Dennis Boley, 2039 Pondview, Uniontown: Addressed the Board and noted his appreciation that the police levy will be put on the August ballot. Asked if a group of private individuals supporting the levy could place a sign on the property where the police department is located.

Mrs. Ruley advised that the group would have to register with the Board of Elections so that all expenses can be accounted for, but the Township cannot put any funds into campaigning. The Board advised to check with Chief Hensley and Steve Lacey regarding the sign.

- Ray Bergdorf, 10289 Carlswood Avenue: Addressed the Board with reference to the Hartville Fire Department EMS. He wanted to thank them for their quick response when he had a stroke about one month ago.
- Wilbur Nesbitt, 2633 Fallview Street, Uniontown: Addressed the Board with reference to a problem at 2626 Midway Street. The property owner does not clean up after his dogs, bad smell coming from this property and he has high grass. He said the property owner buries dogs and cats in the back yard.

Steve Lacey spoke and informed the Board that the property owner was at one time rescuing dogs and he has probably 10-15 dogs inside and about the same number outside. Advised that the Stark County Health Department is aware of the problem and has been out to the property.

Discussion between Mr. Nesbitt, the Board and Steve Lacey about the regulations for barking dogs.

The Board advised him that Steve Lacey will check into the situation and get back with Mr. Nesbitt.

Mr. Nesbitt advised that he would like to change the direction of his downspout to the ditch and asked if this was permissible. Board advised that he could do this.

Mr. Nesbitt asked if he could install culvert in his ditch. Mr. Erb advised that the township will install the pipe if he buys it, provided the ditch is deep enough and he completes the appropriate paperwork. Township will look at area.

06-218 A resolution was made by Ellis Erb adjourning the meeting at 7:25 p.m. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Sue Ruley	yes
Galen Stoll	yes

Ben Sommers, Fiscal Officer

Ellis Erb, President

Sue Ruley, Vice President

Prepared by Sophia Kapadia

Galen Stoll, Member

