

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:

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

Also Present:

- | | |
|-----------------------------|-------------------|
| Ben Sommers, Fiscal Officer | Steve Lacey |
| Don Myers | Vince Harris |
| Mary Ann Kannam | Mariah Dobransky |
| Joy Dingman | Jerry Machamer |
| Sam Miller | Don Wise |
| Janice Erb | Charles Shephard |
| Nancy Petrovski | Bethany Kibler |
| Chrissy Gallion | Christina Gallion |
| Laura Fauss | |

Mr. Erb called the meeting to order at 6:30 p.m.

06-429 A resolution was made by Ellis Erb accepting the bond and oath of John Arnold for his term as Lake Township Trustee beginning December 1, 2006. Seconded by Galen Stoll. Roll call votes were:

- | | |
|-------------|-----|
| Ellis Erb | yes |
| Galen Stoll | yes |
| John Arnold | yes |

06-430 A resolution was made by Ellis Erb nominating Galen Stoll as Vice President of the Board of Trustees. Seconded by John Arnold. Roll call votes were:

- | | |
|-------------|---------|
| Ellis Erb | yes |
| Galen Stoll | abstain |
| John Arnold | yes |

Mr. Erb called to continue the Public Hearing for Zoning Amendment No. 06-218, pursuant to Resolution No. 06-405. Board discussion with reference to said amendment. Board commented that some of the proposed language was too restrictive and may not be enforceable.

06-431 A resolution was made by Ellis Erb denying the request of the Lake Township Zoning Commission for the proposed text changes under Zoning Amendment No. 06-218ZA. Board would like an opportunity to schedule joint work sessions with the Lake Township Zoning Commission after the first of the year to discuss and modify the changes they proposed. Seconded by Galen Stoll. Roll call votes were:

- | | |
|-------------|-----|
| Ellis Erb | yes |
| Galen Stoll | yes |
| John Arnold | yes |

Mr. Erb called to continue the Public Hearing for the possible nuisance abatement at 1460 Edison Street, pursuant to Resolution No. 06-406. Mr. Erb called for anyone who would like to speak on behalf of said property.

- Mariah Dobransky, Lehman Brothers Bank, 25520 Commercentre Drive, Suite 150, Lake Forest, CA 92630: Addressed the Board as a representative of Lehman Brothers Bank and advised them that they hold the first mortgage on this property. She also advised them that they will be hiring a receiver by the first part of 2007 to get the property cleaned up. They are requesting that the Board allow them extra time to clean up the property and bring it into compliance.

06-432 A resolution was made by Ellis Erb tabling a decision on the nuisance abatement for 1460 Edison Street, allowing additional time for the lender to clean up the property. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

Mr. Erb called to continue the Public Hearing for the possible nuisance abatement at 11362 Kent Avenue NE, pursuant to resolution No. 06-408. Board discussion regarding the progress that has been made towards the clean up of this property.

06-433 A resolution was made by Ellis Erb, based on the progress that the property owner has made towards cleaning up said property, tabling a decision on the nuisance abatement for 11362 Kent Avenue NE, and further resolving to forward correspondence to said property owner advising him of the same. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

Mr. Erb called to continue the Public Hearing for the possible nuisance abatement at 916-918 Camelia Street, pursuant to resolution No. 06-409. Mr. Erb called for anyone who would like to speak on behalf of said property.

- Edward Maluke, 916-918 Camelia Street NW: Addressed the Board and advised the board that he has consulted with his attorney. Mr. Maluke further advised the board that he has no pyrotechnics in/on his property. Mr. Maluke said that he would have to consult with his attorney as to whether or not to allow the township access into his building. Mr. Maluke advised the Board that he has gotten a storage unit and is in the process of moving things.

06-434 A resolution was made by Ellis Erb tabling a decision on the nuisance abatement for 916-918 Camelia Street NW, until the next Board meeting of December 26, 2006, allowing the property owner additional time to bring the property into compliance. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-435 A resolution was made by Ellis Erb extending the deadline for the demolition of the building for the property located at 13200 Cleveland Avenue, until the meeting of January 8, 2007. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-436 A resolution was made by Ellis Erb approving the minutes of November 27, 2006, as submitted. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-437 A resolution was made by Ellis Erb authorizing the payment of payroll of December 15, 2006, in the amount of \$42,689.91. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-438 A resolution was made by Ellis Erb accepting/approving the Financial Status Report as of December 11, 2006, as submitted by the Lake Township Fiscal Officer. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-439 A resolution was made by Ellis Erb authorizing the payment of bills as of December 11, 2006, in the amount of \$585,556.28. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

CORRESPONDENCE

1. Notice of December 14 SCTA meeting
2. Copy of correspondence from RPC to Dansizen Architects regarding construction of garage & storage facility by Anthony and Anthony Construction, Ltd.
3. Agenda for December 14 CAC meeting and minutes of October 26 meeting
4. OPERS Employer Notice regarding compensation and contribution limits for 2007
5. Clemans-Nelson – Changes to the Fair Labor Standards Act
6. Copy of correspondence from Joe Underwood to Ray Hanley regarding Construction Inspection Report for Hoover Estates No. 2
7. Republic Waste Services – Notice of rate increase
8. National Lime & Stone Company – Notice of price increase
9. Notice of December 12 SCOG meeting and minutes of September 12 meeting
10. Reminder from Rick Campbell that Zoning Resolutions and Amendments must be filed with the County Recorder

DEPARTMENT REPORTS

Police Department

- Board acknowledged receipt of the Uniontown Police Department Statistical Report for November 2006.

Road Department

None

Zoning Department

- Board acknowledged receipt of the monthly zoning report for November 2006

FPO Office/Fire Departments

- Board acknowledged receipt of the Uniontown Fire Department 3rd Quarter Financial Report
- Board acknowledged receipt of the Uniontown Fire Department monthly statistical report for September 2006

OLD BUSINESS

- Board noted that the deadline for the demolition of 13200 Cleveland Avenue nuisance abatement has been extended to January 8, 2007.

06-440 Mr. Erb moved the adoption of the following resolution:

WHEREAS, pursuant to ORC 5543.10, et seq., a township board of trustees has certain responsibilities, duties, and authority concerning the construction of sidewalks along a township road and within the township road right of way; and,

WHEREAS, the Stark County Subdivision Engineer has recommended the release of certain bonds posted by developers concerning the developer's obligation to construct sidewalks along a township road and within the township road right of way before the sidewalks are fully constructed; and,

WHEREAS, if those sidewalks along a township road and within the township road right of way are not fully constructed by the developer then the township board of trustees may be subjected to certain responsibilities, duties, and liability concerning the construction of sidewalks along a township road and within the township road right of way;

NOW THEREFORE BE IT RESOLVED that the Board of Lake Township Trustees, Stark County, Ohio, pursuant to the authority granted under ORC 5543.10, does hereby require that, prior to the release of the performance bond by the Stark County Subdivision Engineer, the developer must post a bond in an amount equal to two and one-half (2 1/2) times the amount of the estimated cost of any remaining and not completed sidewalk construction.

BE IT FURTHER RESOLVED that said developer shall complete the developer's obligation to construct sidewalks along a township road and within the township road right of way not more than twenty-four (24) months from the date that said performance bond or a cash bond is filed with the Lake Township Fiscal Officer in an amount equal to two and one-half (2 1/2) times the amount of the estimated cost of any remaining and not completed sidewalk construction. If said developer's obligation to construct sidewalks along a township road and within the township road right of way is not completed within twenty-four (24) months from the date that said performance bond or a cash bond is filed with the Lake Township Fiscal Officer in an amount equal to two and one-half (2 1/2) times the amount of the estimated cost of any remaining then said bond shall be paid over to the Lake Township Board of Trustees and the Board shall let a contract for the completion and performance of any remaining and not completed sidewalk construction. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-441 Mr. Erb moved the adoption of the following resolution:

WHEREAS, pursuant to ORC 5543.10, et seq., a township board of trustees has certain responsibilities, duties, and authority concerning the construction of sidewalks along a township road and within the township road right of way; and,

WHEREAS, the Lake Township Board of Trustees does not have the financial or manpower ability and resources to clear snow, ice and other obstructions from any sidewalk constructed along a township road and within the township road right of way; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees for Lake Township Stark County, Ohio, does hereby require that pursuant to the lawful authority of ORC 5543.10, et seq., that:

Every owner, occupant, person, corporation or other legal entity having charge of any tenement, building, lot or land abutting or adjacent to, or fronting on any sidewalk, or any road, street or alley way, shall clear the sidewalk in front of such tenement, building, lot or land, of any snow, ice, dirt, mud, water or other substance of any kind which in any manner makes it inconvenient or unsafe to use such sidewalk, before 12:00 noon of each day, to a width of not less than three (3) feet or the width of the paved portion of the sidewalk. If from any cause whatsoever, it is impossible to remove any substance which interferes with the safe and convenient use of the sidewalk, then each such owner, occupant, person, corporation or other legal entity shall before 12:00 noon of each day, cover the sidewalk with sand or some other substance as may be necessary to render the sidewalk safe and convenient for use. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- Board tabled the decision for the Greentown Fire Department funding request – will be addressed later in the Agenda.

06-442 A resolution was made by Ellis Erb adopting the revised employee handbook, effective January 1, 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

NOTE: Copy of amended handbook is attached hereto and made a part hereof.

NEW BUSINESS

06-443 A resolution was made by Ellis Erb scheduling the last regular meeting of the Board of Trustees on Tuesday, December 26, 2006 at 6:30 p.m. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-444 A resolution was made by Ellis Erb scheduling the reorganizational meeting for Monday, January 1, 2007 at 8:00 a.m. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-445 Mr. Erb moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees have considered the construction, reconstruction, or relocation of a future township hall, and

WHEREAS, the board of trustees would like to set aside funds for that purpose,

Now, therefore, be it resolved in accordance with O.R.C. 5705.13, the Board of Trustees of Lake Township create a CAPITAL PROJECT FUND - TOWNSHIP ADMINISTRATION BUILDING 14D for a the purpose of accumulating resources for the acquisition, construction, or improvement of the Lake Township Administrative Building, and

Be it further resolved, that the Board of Township Trustees authorize the Lake Township Fiscal Officer to transfer Two Hundred Thousand Dollars (\$200,000.00) of inheritance taxes collected in the General Fund as of December 11, 2006 for said purpose, to be held in this fund for no longer than a period of ten (10) years. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-446 Mr. Erb moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees passed Resolution No. 01-543 on December 28, 2001, for the purpose of accumulating funds for the acquisition of land / construction and improvement of a building and for the purchase of fire motor vehicles, and

WHEREAS, the board of trustees had agreed to transfer those funds from the FIRE FUND 10 into a CAPITAL PROJECTS FIRE FUND 14C for this purpose for a term of five years, and

WHEREAS, the Lake Township Board of Trustees have determined that the purpose for this Capital Projects Fund no longer exists,

Now, therefore, be it resolved by the Board of Trustees of Lake Township, Stark County, Ohio, that:

The Lake Township Trustees rescind the CAPITAL PROJECTS FIRE FUND 14C and return the remaining funds totaling One Hundred Ninety Five Thousand Eight Hundred Sixty dollars (\$195,860.00) back to the Fire Fund from where the funds were originally transferred.

Be it further resolved, that the Board of Township Trustees authorize the Lake Township Fiscal Officer to request an Amended Certificate from the Stark County Budget Commission increasing the Fire Fund in the amount of One Hundred Ninety Five Thousand Eight Hundred Sixty dollars (\$195,860.00), and to make the necessary budgetary adjustments in both the 2006 Fire Fund Appropriations Budget and the 2006 Fire Fund Receipts Budget. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-447 Mr. Erb moved for the adoption:

WHEREAS, the Lake Township Board of Trustees have agreed to transfer the unencumbered revenue of One Hundred Ninety-five Thousand Eight Hundred Sixty dollars (\$195,860.00) remaining in the CAPITAL PROJECTS FIRE FUND 14C back to the FIRE FUND 10 in accordance with the provisions written in O.R.C. 5705.13, and

WHEREAS, the board of trustees have determined those funds should be fairly and equitably be disbursed to all the fire departments serving the residents of Lake Township, Stark County, Ohio,

Now, therefore, be it resolved that the Fiscal Officer of Lake Township should make following disbursements:

Greentown Fire Department:	\$ 47,930.00
Hartville Fire Department	\$ 100,000.00
Uniontown Fire Department	\$ 47,930.00

Be it further resolved, that the Fiscal Officer shall distribute these disbursements by the end of February 2007.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

06-448 A resolution was made by Ellis Erb authorizing the distribution of the 2007 Fire/EMS Funds as follows:

2007
FIRE & EMS FUNDS
INCOME / EXPENSES

INCOME (ESTIMATED):

	<u>LAKE TOWNSHIP</u>		<u>HARTVILLE VILLAGE</u>
FIRE	1,718,781.00	FIRE	197,102.00
EMS	<u>646,807.00</u>	EMS	<u>147,714.00</u>
TOTAL	2,365,588.00	TOTAL	344,816.00

EXPENSES:

FIRE EXPENSES:

EMS EXPENSES:

34,375.00	2% Hold back - FIRE FUND	12,935.00	2% Hold back - EMS FUND
18,000.00	Fire Inspector Wages	<u>9,600.00</u>	Auditor's Fees EMS FUND
2,493.00	P.E.R.S. 13.55% (10-A-2)		
540.00	Workers' Comp. (10-A-3)	22,535.00	TOTAL EXPENSES - EMS FUND
200.00	Education		
450.00	New Uniforms		
25,600.00	Auditor's Fees FIRE FUND		
<u>2,000.00</u>	Supplies, etc.		
83,658.00	TOTAL EXPENSES - FIRE FUND		
100,000.00	Operating Expenses - Hartville Station No. 2		

		<u>Fire</u>	<u>EMS</u>
2007	Income from Hartville is:	197,102.00	147,714.00
2006	Income from Hartville was:	196,978.00	147,733.00

**2007
FIRE FUND
BREAKDOWN**

Lake Twp. Income:	1,718,781.00	
	60,000.00	Hartville No.2 Expenses
	<u>49,283.00</u>	Auditor's Fees & Other Expenses
Income Less Expenses:	1,609,498.00	
	<u>34,375.00</u>	2% Hold back (to be distributed in 2008)
Income Less Hold back:	1,575,123.00	
	<u>(2.00)</u>	Calculating adjustment figure
LAKE TWP. - FIRE	1,575,121.00	
HARTVILLE - FIRE	<u>197,102.00</u>	
	1,772,223.00	

2006 FIRE CASH RESERVE	
90,000.00	
Uniontown F.D.	30,000.00
Greentown F.D.	30,000.00
Hartville F.D.	30,000.00

LAKE TWP.'S 2007 FIRE DEPT. / FIRE DISTRIBUTION	
Uniontown F.D.	590,741.00
Greentown F.D.	590,741.00
Hartville F.D. No.1	393,639.00
Hartville F.D. No.2	<u>60,000.00</u>
	1,635,121.000

FIRE FUND / 2007 PAYMENT BREAKDOWN			
	U.F.D. & G.F.D.	H.F.D. 1	H.F.D. 2
April 15	147,685.25	98,409.75	15,000.00
July 15	147,685.25	98,409.75	15,000.00
Oct. 15	147,685.25	98,409.75	15,000.00
Dec. 15	147,685.25	98,409.75	15,000.00
Totals	590,741.00	393,639.00	60,000.00

**2007
EMS FUND
BREAKDOWN**

Lake Twp. EMS Income:	646,807.00	
	40,000.00	Hartville No.2 Expenses
	<u>9,600.00</u>	Auditor's Fees
Income Less Expenses:	597,207.00	
	<u>12,935.00</u>	2% Hold back (to be distributed in 2008)
Income Less Hold back:	584,272.00	
	<u>(1.00)</u>	Calculating adjustment figure
LAKE TWP. - EMS	584,271.00	
HARTVILLE - EMS	<u>147,714.00</u>	
	731,985.00	

2006 EMS CASH RESERVE	
30,000.00	
Uniontown F.D.	10,000.00
Greentown F.D.	10,000.00
Hartville F.D.	10,000.00

LAKE TWP.'S 2007 FIRE DEPT. / EMS DISTRIBUTION			
	Uniontown F.D.	243,995.00	
	Greentown F.D.	243,995.00	
	Hartville F.D. No. 1	96,281.00	
	Hartville F.D. No. 2	<u>40,000.00</u>	
		624,271.00	
EMS FUND / 2007 PAYMENT BREAKDOWN			
	U.F.D. & G.F.D.	H.F.D. No. 1	H.F.D. No. 2
April 15	60,998.75	24,070.25	10,000.00
July 15	60,998.75	24,070.25	10,000.00
Oct. 15	60,998.75	24,070.25	10,000.00
Dec. 15	60,998.75	24,070.25	10,000.00
Totals	243,995.00	96,281.00	40,000.00

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- Vince Harris, Greentown Fire Department: Addressed the Board with reference to the distribution of the Capital Projects Fire Fund. He questioned if the Board has received funding requests from the other two departments?
- The Board executed Road Open Permits as follows:
C-06-32 gas tie-in on Poppy
C-06-33 gas tie-in on Grimsby
C-06-34 gas tie-in on Pleasantwood

06-448 A resolution was made by Ellis Erb authorizing the Board to issue a Letter of Intent to Montrose Ford, Inc., for the purchase of three 2007 Crown Victoria police cruisers for the Uniontown Police Department for the purchase price of \$20,904.00 each. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

MEETING REPORTS

None

FISCAL OFFICER'S REPORT

None

PUBLIC SPEAKS

- Jerry Machamer, 10494 Kent Avenue, Hartville: Addressed the Board with reference to the Capital Project Fund for the construction of a new Administration/Hall building. Mr. Machamer also asked questions regarding the distribution of fire funds.
- Laura Fauss, SIT; Christina Gallion, SIT; Bethany Kibler, SIT; Christina Gruber and Nancy Petrovski, RS of the Stark County Health Department: **Laura Fauss** introduced herself and the others to the Board as representatives of the Health Department. Laura Fauss explained that the sewage regulations will be changing in January 2007 and also explained changes in fees after the first of the year. **Christina Gruber** addressed the Board and explained her position as the public health nurse for Lake Township, she provided pamphlets for the Board on different health care issues. **Bethany Kibler** addressed the Board and explained her function in the Phase II Stormwater program.

- Charles Shephard, 13197 Tippecanoe, Uniontown: Addressed the Board with reference to the fire funds for 2007.
- Vince Harris, Greentown Fire Department: Addressed the Board and commended Hartville for doing a great job and for their opening of the new station. Mr. Harris also thanked the Board for letting the public know about the future plans for the new township hall/building.
- Don Myers, 2314 State Street, Canton OH: Addressed the Board with reference to the distribution of the Capital Projects Fire Fund. Mr. Myers expressed his disappointment in what the Board did with the funds.

06-449 A resolution was made by Ellis Erb adjourning the meeting at 7:25 p.m. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

Ben Sommers, Fiscal Officer

Ellis Erb, President

Galen Stoll, Vice President

John Arnold, Member