

The Board of Lake Township Trustees met at 6:15 p.m. for the purpose of conducting a Public Hearing for Zoning Amendment No. 06-219ZA (text change) and immediately following in regular session 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
Tom Renner
Laquita Pickard
Paul Peterson
Joy Dingman
Karen Moss
Mary Kamerer
Jeremy Wise

Steve Lacey
Sam Miller
Larry Pickard
Mary Ann Kannam
Don Hensley
Jerry Machamer
Don Wise

Mr. Erb called the Public Hearing to order at 6:15 p.m. for Zoning Amendment No. 06-219ZA (text changes). Mr. Erb asked Steve Lacey to elaborate more on the proposed request. Mr. Lacey explained that it was a proposal to allow for Outdoor Furnaces.

Mr. Erb called for anyone who would like to speak against this proposed change to the Zoning Resolution.

- Larry Pickard, 13137 Lake Avenue, Hartville: Addressed the Board and noted that he agrees with the proposed amendment with the exception of the setbacks, he feels that the setbacks are too restrictive. He explained that he is owner of Concord Plumbing, Inc. and that he is interested in having one on his property and that his company will be selling, installing and servicing these furnaces. He explained that these units do not put off any more smoke than the wood burning stoves people have inside their homes now. He does agree that the types of items burned in these units needs to be regulated.
- Arlie Bradford, 2919 Edison Street, Uniontown: Addressed the Board with reference to this issue. Was surprised to hear that the township is receiving complaints already. Board explained that they have just heard what is happening in other townships and they and the Zoning Commission are trying to head-off some of the potential complaints/issues. Mr. Bradford wanted to make sure that the township was not banning these furnaces and voiced his support for these units.

07-071 A resolution was made by Ellis Erb tabling a decision for the proposed text change under Zoning Amendment No. 06-219ZA until next meeting. Board has some concern that the 390 foot setback may be a little excessive. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-072 A resolution was made by Ellis Erb closing the Public Hearing for Zoning Amendment No. 06-219ZA at 6:28 p.m.. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- Mr. Erb called the regular meeting to order.

07-073 A resolution was made by Ellis Erb approving the minutes of January 22, 2007 as submitted. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-074 A resolution was made by Ellis Erb authorizing payment of payroll for February 23, 2007, in the amount of \$38,801.30. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-075 A resolution was made by Ellis Erb accepting/approving the Financial Status Report as of February 12, 2007, as submitted by the Lake Township Fiscal Officer. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-076 A resolution was made by Ellis Erb authorizing payment of bills as of February 12, 2007, in the amount of \$417,115.27. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-077 A resolution was made by Ellis Erb for the Board to go into executive session at 6:30 p.m. with the township attorney regarding pending litigation. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-078 A resolution was made by Ellis Erb for the Board to return from executive session at 6:44 p.m. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

CORRESPONDENCE:

1. SWCD – Notice that Forest Meadows #2 complies with erosion/sediment control regulations
2. Time Warner Cable – Notice that agreements with certain networks are expiring
3. Copy of correspondence from DeHoff Development to Joe Underwood regarding release of Performance Bond and waiver of Maintenance Bond for Forest Meadows No. 2
4. Copy of correspondence from McKinley Development to Joe Underwood regarding release of Performance Bond and execution of Maintenance Bond for Villas of St. James Place No. 2
5. Johnny O’s Landscaping – Letter of introduction
6. Institute for Stormwater Maintenance Standards –Launching web-based Post-Construction Structural BMP Inspection and Maintenance Tracking System
7. Marie Bolek – Drainage problem at the corner of Lancer and Wedgewood
8. Notice of March 1 District Advisory Council meeting
9. Notice from State Auditor regarding Force Account Limits
10. OPERS Notice
11. SWCD Site Inspection Report for Zimber Ditch Flood Control Projects
12. Notice of February 22 SCTA meeting
13. Copy of correspondence from Joe Underwood to Commissioners requesting release of performance bond for a portion of Grimsby Street and Rich Avenue in St. James No. 2
14. Department of Commerce – 2010 census
15. Notice that the Commissioners have approved the release of a portion of Cashmere Circle, Sandgate Street and Southwyck Avenue in Shepherds Gate 7
16. Notice of February 22 CAC meeting for FY 2007 CDBG

DEPARTMENT REPORTS:

Police

- Board acknowledged receipt of the January 2007 Statistical Report

07-079 A resolution was made by Ellis Erb authorizing the hiring of Ken Porter as a Reserve Police Officer for the Uniontown Police Department, subject to the provisions of the Lake Township Employee Handbook and contingent upon successful completion of a drug test. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

Road

None

Zoning

- The Board acknowledged receipt of the Zoning Department Report for January 2007

Fire Departments/Fire Prevention Office

- Board acknowledged receipt of the Uniontown Fire Department Statistical Report for January 2007
- Board acknowledged receipt of the Uniontown Fire Department Summary of Activities Report for 2006
- Board acknowledged receipt of the Greentown Fire Department Year 2006 Financial Statement
- Board acknowledged receipt of the Greentown Fire Department January 2007 Statistical Report
- Board acknowledged receipt of the Hartville Volunteer Fire Department Quarterly Report for Year 2006

OLD BUSINESS:

07-080 A resolution was made, pursuant to Resolution No. 06-448, authorizing an expenditure for an amount not to exceed \$100,000.00 for the purchase of three police cruisers, from Montrose Ford for use by the Uniontown Police Department. Price includes cruisers and accessories. Seconded by John Arnold. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

NEW BUSINESS:

07-081 A resolution was made by Ellis Erb accepting the construction/site plans for Highland Creek Phase III and IV, as presented by the developer. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

07-082 A resolution was made by Ellis Erb authorizing the bond release for work performed under Road Open Permit No. 0-06-04 issued to Daniel Bontrager for 3427 Marquette. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

07-083 A resolution was made by Ellis Erb amending Resolution No. 06-440 (sidewalk construction) to include the acceptance of mortgage deeds to be held as bonds for sidewalks not yet completed within an allotment. Seconded by John Arnold. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

07-084 A resolution was made by Ellis Erb authorizing the execution of a Sidewalk Installation Bond as Secured by Mortgage Deed for sidewalks not yet completed within the Enclave No. 2 Subdivision. Seconded by John Arnold. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

07-085 A resolution was made by Ellis Erb increasing the hourly rate for auxiliary road employees (Class A) from \$11.00 per hour to \$12.00 per hour. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- The Board executed the following Road Open Permits:
 1. O-07-02 – Water line on Pleasantwood & Highland Park
 2. O-07-01 – Gas tie-in on Burberry
 3. C-07-02 – Gas tie-in on Market

07-086 A resolution was made by Ellis Erb determining that the following computer systems and laser printer are no longer needed by the township, and further determining, pursuant to information derived from DTM Computer Services, Inc., that the fair market value of the equipment is less than \$2,500.00. Therefore, the equipment will be donated to ROCKS (Recycling Older Computers for Kids & Shut-Ins) or disposed of if not accepted by them:

1. PII 233 Intel Processor, 128Mb SDRAM, 6.4 Gig hard drive, 32x cd-rom, 1.44 floppy drive, 8 Gig HP Tape Backup Internal drive (includes 4 new 8GB Travan Technology blank backup tapes), speakers, keyboard, mouse & 14" monitor. Unit purchased in 1998. (General Inventory No. 332).

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-087 Mr. Erb made the following resolution:

WHEREAS, the Lake Township Board of Trustees have approved the recently revised Township Employee Handbook, and

WHEREAS, the Lake Township Board of Trustees have entered into a three year agreement with the Utility Workers Union of America, AFL-CIO Local 578 and the union members of the Road Dept., and

WHEREAS, the Lake Township Board of Trustees have also, entered into an agreement with the Ohio Patrolmen's Benevolent Association, Inc. and the union members of the Uniontown Police Dept., and

WHEREAS, the contents of these three documents address all issues pertaining to the, rules, regulations, and policies surrounding the use of sick leave, vacation, personal, and comp time, and

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

As of February 18, 2007, the Lake Township union and non-union employees will be required to observe all rules, regulations, and policies set forth in each document as it pertains to each individual group of employees. When preparing for time off from work, whether it be in the form of sick leave, vacation time, personal time, or comp time, each individual must first consider the appropriate rule, regulation, or policy that applies and report the permitted time off on their timecard. Deviations will no longer be tolerated.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-088 A resolution was made by Ellis Erb authorizing the execution of Deed For Cemetery Lot for the sale of Lot 400E in Woods Cemetery. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-089 A resolution was made by Ellis Erb authorizing the execution of Deed For Cemetery Lot for the sale of Lot 400W in Woods Cemetery. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-090 A resolution was made by Ellis Erb appointing John White to a 5-year term on the Zoning Commission commencing February 12, 2007 and continuing through February 11, 2012. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-091 Ellis Erb made the following resolution:

Whereas, the Board of Lake Township Trustees, Stark County, Ohio believes that it is for the best interest of the township and its inhabitants to appoint alternate members to the Lake Township Zoning Commission; and

Whereas, the Board is empowered pursuant to the provisions of the Ohio Revised Code Section 519.04 to appoint two alternate members to the Township Zoning Commission.

Now, Therefore Be It Resolved by the Board of Lake Township Trustees, Stark County, Ohio, that the following resident of the unincorporated area of the township be appointed as an alternate member of the Township Zoning Commission Board:

Tim Muckley, for a 1-year term beginning February 12, 2007 and ending February 11, 2008.

An alternate member shall take the place of an absent regular member at any meeting of the Lake Township Zoning Commission. A regular member of the Lake Township Zoning Commission must give forty-eight (48) hours notice of non-attendance prior to the regularly scheduled meeting time. Less than forty-eight (48) hours notice may be given in the event of an emergency. The alternate of the Zoning Commission will be contacted immediately upon receipt of notice of the regular member's absence. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

MEETING REPORTS:

- Board and Fiscal Officer noted that they attended the Township Association Winter Conference in Columbus, Ohio.

FISCAL OFFICER'S REPORT:

07-092 Mr. Erb moved the following resolution:

BE IT RESOLVED by the Board of Trustees of Lake Township, Stark County, Ohio that to provide for the current expenses and other expenditures of said Board of Trustees, during the fiscal year, ending December 31st, 2007, the following sums be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year, as follows, viz:

RECAPITULATION OF FUNDS:

1 GENERAL FUND

1-A-1 thru 1-A-27	1,241,324.58
1-B-1 thru 1-B-8	25,000.00
1-C-1 thru 1-C-9	0.00
1-D-1 thru 1-D-9	0.00
1-E-1 thru 1-E-2	700.00
1-F-1 thru 1-F-8	2,000.00
1-G-1 thru 1-G-6	0.00
1-H-1 thru 1-H-7	0.00
1-J-1 thru 1-J-3	98,000.00
1-K-1 thru 1-K-11	0.00
1-L-1 thru 1-L-4	0.00
1-M-1 thru 1-N-1	<u>0.00</u>

TOTAL GENERAL FUND 1,367,024.58 1,367,024.58

2 MOTOR VEHICLE LICENSE TAX FUND 87,131.48

3 GASOLINE TAX FUND 333,707.42

4 ROAD AND BRIDGE FUND 1,174,757.66

5 CEMETERY FUND 25,926.23

7 LIGHTING ASSESSMENT FUND

7A - UNIONTOWN	50,151.56
7B - GREENTOWN	66,021.22
7C - MT.PLEASANT	49,777.94
7D - WILLOWHURST	5,365.91
7E - WINDGATE	<u>2,806.30</u>

TOTAL LIGHTING ASSESS. FUND 174,122.93 174,122.93

9 POLICE DISTRICT FUND 1,561,465.89

10 FIRE DISTICT FUND 2,028,723.07

11	ROAD DISTRICT FUND	793,262.87
14	RESERVE FUND - GENERAL	140,000.00
14A	RESERVE FUND - ROAD	100,500.00
14B	RESERVE FUND - UPD	100,500.00
14C	CAPITAL PROJECTS FIRE FUND	0.00
14D	CAPITAL PROJECT FUND - TOWNSHIP ADMINISTRATION BLDG.	200,000.00
15	GEN. BOND (NOTE) RETIREMENT FUND - SERVICE GARAGE	84,685.05
20	EMERGENCY MEDICAL SERVICES FUND	683,887.43
22	DRUG LAW ENFORCEMENT FUND	12,093.75
33	LAW ENFORCEMENT EDUCATION FUND	11,358.54
GRAND TOTAL OF ALL FUNDS		<hr/> 8,879,146.90

Galen Stoll seconded the motion. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-093 A resolution was made by Ellis Erb authorizing the hiring of Sandra K. Smith on a part-time basis for help in the Fiscal Officer's Department, commencing February 12, 2007, and not exceeding 1550 hours per year. Pay shall be \$11.00 per hour increasing to \$12.00 per hour after the successful completion of a 90-day probationary period. Subject to all provisions of the Lake Township Employee Handbook and contingent up successful completion of a drug test. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

PUBLIC SPEAKS:

- Sam Miller, 412 Jerome, Hartville: Addressed the Board with reference to the resolution the Board passed with reference to the enforcement of the union contracts and the employee handbook. Thanked the Board for enforcing this.

07-094 A resolution was made by Ellis Erb adjourning the meeting at 7:13 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