

The Board of Lake Township Trustees met at 6:15 p.m. for the purpose of conducting a Public Hearing for the consideration of a possible nuisance situation at 13504 Sunflower Avenue NW, Mogadore, 958 Pontius Street NW, Hartville, 3480 Abbey Street NW, Uniontown, 10997 Jan Circle NW, Uniontown, 2605 Mt. Pleasant Street NW, North Canton, 1281 Andrews Street NW, Hartville, and following in regular session with the following members present:

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

Also Present:

- | | |
|-----------------------------|-----------------|
| Ben Sommers, Fiscal Officer | Sam Miller |
| Rich Feller | Tom Renner |
| Joy Dingman | Mary Ann Kannam |
| Jim Buetel | Jerry Machamer |
| William Day | Bob Hoover |

Mr. Erb called the meeting to order and opened the Public Hearing at 6:15 p.m. for a possible nuisance at 13504 Sunflower Avenue NW, Mogadore, 958 Pontius Street NW, Hartville, 3480 Abbey Street NW, Uniontown, 10997 Jan Circle NW, Uniontown, 2605 Mt. Pleasant Street NW, North Canton, 1281 Andrews Street NW, Hartville. The Board reviewed the information and photographs provided by the Zoning Administrator. Mr. Erb called for anyone who would like to speak for/or against these matters, hearing none the board discussed the matters.

07-312 Mr. Erb made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Administrator, the Board has determined that a nuisance **does** exist at 13504 Sunflower Avenue NW, Mogadore, due to, vegetation (tall grass/weeds).

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will obtain quotes and begin the process to provide for such abatement and/or control. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within seven (7) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution

will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-313 Mr. Erb made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Administrator, the Board has determined that a nuisance **does** exist at 958 Pontius Street NW, Hartville, due to, vegetation (tall grass/weeds).

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will obtain quotes and begin the process to provide for such abatement and/or control. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within seven (7) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-314 Mr. Erb made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Administrator, the Board has determined that a nuisance **does** exist at 3480 Abbey Street NW, Uniontown, due to, vegetation (tall grass/weeds).

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will obtain

quotes and begin the process to provide for such abatement and/or control. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within seven (7) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- The Board noted that 10997 Jan Circle NW, Uniontown has been mowed; therefore the possible nuisance has been abated.

07-315 Mr. Erb made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Administrator, the Board has determined that a nuisance **does** exist at 2605 Mt. Pleasant Street NW, North Canton, due to, vegetation (tall grass/weeds).

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will obtain quotes and begin the process to provide for such abatement and/or control. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within seven (7) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-316 Mr. Erb made the following resolution:

Pursuant to Ohio Revised Code Section 505.86 or 505.87, and based on, in part, information and photos provided by the Zoning Administrator, the Board has determined that a nuisance **does** exist at 1281 Andrews Street NW, Hartville, due to, vegetation (tall grass/weeds).

Further resolving that the owner of such premises is hereby ORDERED to abate said nuisance from the premises within seven (7) days after receipt of certified notice. If said nuisance is not abated within seven (7) days, this Board will obtain quotes and begin the process to provide for such abatement and/or control. Any expenses so incurred by this Board will be entered upon the tax duplicate and will be a lien upon the land from the date of entry. The property owner may contact this Board within seven (7) days and enter into an agreement with said Board providing for either party to the agreement to perform the removal. The property owner(s) and/or lienholder(s) were notified by regular mail that the Board would act on this nuisance situation this evening. The property owner(s) and/or lienholder(s) **were not** present. A NOTICE TO ABATE THE NUISANCE and a copy of this resolution will be sent to the property owner(s) and/or lienholder(s) by certified and regular mail.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-317 A resolution was made by Ellis Erb closing the Public Hearing at 6:25 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 of the Board to order at 6:26 p.m.

07-318 A resolution was made by Ellis Erb approving the minutes of August 13, 2007 and August 16, 2007 as submitted. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-319 A resolution was made by Ellis Erb authorizing payment of payroll for August 31, 2007, in the amount of \$7,541.69. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-320 A resolution was made by Ellis Erb authorizing payment of payroll for September 7, 2007, in the amount of \$36,686.23. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-321 A resolution was made by Ellis Erb accepting/approving the Financial Report as of August 27, 2007, 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

07-322 A resolution was made by Ellis Erb authorizing payment of bills as of August 27, 2007, in the amount of \$125,582.35. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

CORRESPONDENCE

1. Stark County Health Department – DVD addressing issue of Pandemic Flu
2. Stark County Engineer – notice of street closing
3. Stark County Health Department – schedule for mosquito spraying
4. Community Fund Ohio EPA – Community Benefit Fund Project Ideas
5. Lake Chamber – notice for Evite notifications
6. Aqua – water system acquisition for Geauga County
7. Stark County Prosecutor’s Office – Substitute H.B. 9/Public Records Law
8. Time Warner Cable – State and Local Sales Tax on Internet Access
9. Stark County Auditor – copy of Popular Annual Financial Report
10. Stark Soil & Water Conservation District – Site Inspection Reports
11. Northeast Ohio Township Association – notification of August 30, 2007 meeting
12. Kimberly Testa – regulations on parking a motor home in an allotment
13. Time Warner Cable – changes to Music Choice service
14. Marie Bolek – drainage at Lancer and Wedgewood
15. Rex Marshall – inquiring as to status of noise nuisance resolution
16. OTA – Huron Township seeking information on HAS’s
17. OTA – Madison Township seeking information on registration of contractors
18. CLOUT & OTA – legislative update
19. Miami University – 2007 Southwest Ohio Local Government Wage & Benefit Survey
20. Stark County RPC – reminder of subdivision action

21. Citizens' Advisory Council – August 23, 2007 Agenda
22. OTA – 2007 Ohio Land Use Conference
23. Ohio EPA – notification of 2007 MS4 Annual Discharge Fee
24. Stark County RPC – Windgate Allotment Maintenance Bond Release Request
25. Ohio EPA – Quarterly Storm Water Workshop

DEPARTMENT REPORTS

Police Department

- None

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- Board acknowledged receipt of the Uniontown Fire Department July 2007 Statistical Report.

OLD BUSINESS:

- *Bob Hoover, 5782 Huckelberry St. NW, North Canton;* Spoke on behalf of Bill Day, Developer of Fiddlers Creek, regarding the public drainage easement he has submitted to Stark County. He is waiting to hear back from Gary Connor to see if easement was acceptable to him.

07-323 A resolution was made by Ellis Erb authorizing the Board to accept the Fiddlers Creek Final Development Plan Review and authorizing them to proceed with construction contingent upon the approval and recording of a drainage easement with Stark County and upon the receipt of a letter of intent from the developer of their commitment to install a 24" culvert, pipe extensions and manholes to be tied into the existing 24" pipe. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

NOTE: Copy of Drainage Easement attached and made a part hereof.

07-324 Mr. Erb made the following resolution:

TO THE COUNTY AUDITOR OF STARK COUNTY, OHIO:

The board of township trustees of Lake Township, in said county, hereby makes report and certified that on the 17th day of July, 2007, it was informed in writing that noxious weeds were growing on the lands of Christopher Dallas in said township and were about to spread and mature seeds; said lands being described as follows: Parcel No. 1905785, Congress Lake Avenue NE, Hartville - Quarter Section 1NW, Lake Township and thereupon said board of township trustees caused said noxious weeds to be cut or destroyed by one W.E. Love Landscaping whom the board employed for that purpose.

The following is a statement of the charges of:

The amount paid for the performing of such labor	\$ <u>450.00</u>
The amount paid for materials	\$ <u>n/a</u>
The amount paid for equipment	\$ <u>n/a</u>
The amount paid for assessment fees	\$ <u>75.00</u>
TOTALS	\$ <u>525.00</u>

You are hereby requested to cause such amounts, when allowed, to be entered upon the tax duplicate and to be a lien upon such lands of the said Christopher Dallas (Parcel 1905785), above described, from and after the date of the entry, and to be collected as other taxes and returned to the township to be placed in the township general fund.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-325 A resolution was made by Ellis Erb approving the changes made to the Park Maintenance Agreement executed under Resolution No. 07-214 and authorizing the Board to initial said changes. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

NEW BUSINESS:

- Jim Buetel, AT&T; Spoke regarding the installation of telephone cabinets and conduit on Pleasantwood Ave. NW and Cain St. NW.

07-326 A resolution was made by Ellis Erb authorizing the Board to execute the following Road Open Permits:

O-07-07: AT&T (Pleasantwood Avenue NW) placement of telephone cabinet

O-07-08: AT&T (Cain Street NW) placement of telephone cabinet

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-327 A resolution was made by Ellis Erb authorizing the Board to execute the following Road Open Permits:

C-07-20: Dominion East Ohio (2166 Royer) tie-in gas service

O-07-06: Beaver Excavating (3031 Mt. Pleasant Street) replace storm sewer pipe

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-328 A resolution was made by Ellis Erb approving the request, in a letter dated August 6, 2007, from Dale Schrock, Agent for Mike and Cindy Hall of 2329 Royer St. NE, to waive the zoning application fees in the amount of \$59.56. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-329 A resolution was made by Ellis Erb scheduling a public hearing for September 10, 2007 at 6:15 PM for noxious weeds on Edison St., Parcel 1905697; State St., Parcel No. 1905093; and State St., Parcel No.1905856. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-330 A resolution was made by Ellis Erb amending Resolution 07-329 to read as follows:

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Wild Carrot (Queen Ann's Lace) and Canada Thistle are growing on the lands in charge of Donald E. Domokur Trustee in this township, described as follows: Parcel No. 1905697, Edison St. NE - Quarter Section 13NE, Lake Township.

THEREFORE BE IT RESOLVED that said Donald E. Domokur Trustee whose address is 17865 Whisper Lane, Lake Milton, OH 44429, 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 no need for doing so under Section 5579.05 of the Ohio Revised Code.

and

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Wild Carrot (Queen Ann's Lace are growing on the lands in charge of Tim Turner in this township, described as follows: Parcel No. 1905093, State St. NE, Quarter Section 34NW, Lake Township.

THEREFORE BE IT RESOLVED that said Tim Turner whose address is 3356 Billings St., Pineville, SC 29466 be notified by serving on him 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 no need for doing so under Section 5579.05 of the Ohio Revised Code.

and

WHEREAS, The Board of Lake Township Trustees, having been informed in writing that Wild Carrot (Queen Ann's Lace are growing on the lands in charge of Hartville Slavic Full-Gospel Church Inc. in this township, described as follows: Parcel No. 1905856, State St. NE, Quarter Section 34NW, Lake Township.

THEREFORE BE IT RESOLVED that said Hartville Slavic Full-Gospel Church Inc. whose address is 11198 Immel Ave., Hartville, OH 44632 be notified by serving on him 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 no need for doing so under Section 5579.05 of the Ohio Revised Code.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-331 A resolution was made by Ellis Erb scheduling Public Hearing for Monday, September 10, 2007 at 6:15 p.m. for Zoning Amendment No. 07-223 (Rezone from R-2 to C-1) with regular meeting to start immediately following. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
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Galen Stoll	yes
John Arnold	yes

07-332 Mr. Erb made the following resolution:

WHEREAS, Lake Township has five (5) Lighting Districts, Uniontown, Greentown, Mt. Pleasant, Willowhurst, and Windgate, and

WHEREAS, the Lake Township Board of Trustees must authorize the fiscal officer to certify the amounts needed to assess each parcel for the cost of street lighting in each lighting district in Lake Township to the Stark County Auditor, and

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

The Lake Township Fiscal Officer is hereby authorized to certify to the Stark County Auditor the 2007 Annual Street Lighting Assessments for Lake Township, and

The assessments shall to be collected and distributed to the Lake Township Board of Trustees in the year 2008 as follows:

LAKE TOWNSHIP

TAX YEAR 2007 LIGHTING ASSESSMENTS SUMMARY

	Current Number of parcels	Annual Assessment per parcel	Total Annual Assessment
<u>UNIONTOWN LIGHTING DISTRICT:</u>			
Uniontown	948	36.50	34,602.00
Heritage Glen#1, 2, & 3	81	36.50	2,956.50
Enclave #1, 2, & 3	76	36.50	2,774.00
Hoover Estates #1 & 2	168	36.50	6,132.00
The Highlands #1	56	36.50	2,044.00
Forest Meadows #1 & 2	<u>39</u>	36.50	<u>1,423.50</u>
	1368		49,932.00
<u>GREENTOWN LIGHTING DISTRICT:</u>			
Greentown	494	75.00	37,050.00
Greentree #3 & Dotwood Acres #1 & #2	37	100.00	3,700.00
Greentree #6	146	100.00	14,600.00
Greentree #7	44	100.00	4,400.00
Greentree #8	15	100.00	1,500.00
Greentree #9	35	100.00	3,500.00
Greentree #10	10	100.00	1,000.00
St. Ives #2, #7, #9, & #10	78	100.00	7,800.00
St. Ives #5 & #6	74	100.00	7,400.00
The Boroughs #5 & #6	<u>70</u>	100.00	<u>7,000.00</u>
	1003		87,950.00
<u>MT. PLEASANT LIGHTING DISTRICT:</u>			
Mt. Pleasant	276	3.00	828.00
Chestnut Ridge	34	10.00	340.00
Villas of St. James #1	26	10.00	260.00
St. James #1 - #9	<u>262</u>	10.00	<u>2,620.00</u>
	598		4,048.00
<u>WILLOWHURST LIGHTING DISTRICT:</u>			
Willowhurst	35	2.00	70.00
<u>WINDGATE LIGHTING DISTRICT:</u>			
Windgate	16	120.00	1,920.00
GRAND TOTAL OF ALL DISTRICTS:	3,004.00		143,920.00

Be it further resolved, that the total amount to be collected in 2008 for all five (5) street lighting districts in Lake Township equals One Hundred Forty-three Thousand Nine Hundred and Twenty dollars (\$143,920.00).

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-333 A resolutions was made by Ellis Erb pursuant to Ohio Revised Code Section 505.10, the Board of Lake Township Trustees has determined that they are in possession of a salt shed located behind the Lake Township Administrative Offices at 12360 Market Avenue North. The Board further determines that said salt shed has no value and is obsolete/unfit for the use in which it was intended and herby authorizes the Lake Township Road Department to raze and dispose of said salt shed. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-334 A resolution was made by Ellis Erb pursuant to Ohio Revised Code Section 505.10, the Board of Lake Township Trustees has determined that they are in possession of wood guardrail posts and spacers that are unneeded and obsolete for use by the Township. The Board further resolves that said guardrail posts and spacers have a fair market value of less than \$2,500.00 and hereby authorize said items to be sold by private sale as authorized under Ohio Revised Code Sections 505.10, and in compliance with all provisions of Ohio Revised Code Sections 102 and 2921. Any items not sold, shall, be discarded. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-335 Mr. Erb made the following resolution:

WHEREAS, O.R.C. 505.101 provides that a board of township trustees may, enter into a contract, without advertising or bidding for the sale of materials or supplies to any department, agency, or political subdivision of the state; and,

WHEREAS, the Lake Township Board of Trustees has several, miscellaneous pieces of road-way guardrail of an indeterminate value and for which the Lake Township road and bridge department has not foreseeable use, and for which the Stark County Engineer does have a need and use for said materials; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees for Lake Township, Stark County, Ohio, pursuant to O.R.C. 505.101 does hereby sell its several, miscellaneous pieces of road-way guardrail of an indeterminate value to the Stark County Engineer in consideration of future road way signs, services and equipment utilization as determined by the Stark County Engineer and the Lake Township Road Superintendent until the value therefore is made equal and whole.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-336 A resolution was made by Ellis Erb authorizing the Board to forward correspondence requesting the Stark County Commissioners to authorize a waiver of building fees for Ian Weyrick, an Eagle Scout constructing an 18' x 24' concession stand at the Township Park. The Board also authorized the waiving of the Lake Township zoning fees associated with this project. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-337 A resolution was made by Ellis Erb authorizing the Board to execute a Deed for cemetery Lot No. 551E Section South in Woods Cemetery. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

MEETING REPORTS:

- None

FISCAL OFFICER'S REPORT

07-338 A resolution was made by Ellis Erb authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers and Vendor's Certificates. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- Board acknowledged, pursuant to Resolution # 07-037, the following transfers made by the Fiscal Officer:

\$10,000.00 from 33-A-10 (Other Expenses) to 33-A-5 (Tools & Equipment)

PUBLIC SPEAKS

- None

07-339 A resolution was made by Ellis Erb adjourning the meeting at 7:07 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