

The Board of Lake Township Trustees met in regular session at 8:00 a.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
Sam Miller
Linda Toppel

Joy Dingman
Merlin Yoder

Mr. Erb called the meeting to order at 8:02 a.m.

07-489 A resolution was made by Ellis Erb approving the minutes of December 10, 2007, as submitted. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

07-490 A resolution was made by Ellis Erb authorizing payment of payroll for December 28, 2007, in the amount of \$49,891.19. Seconded by John Arnold. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

07-491 A resolution was made by Ellis Erb authorizing payment of payroll for January 11, 2008, in the total amount of \$70,703.67 (Payroll \$41,395.23/OPERS \$29,308.44). Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

07-492 A resolution was made by Ellis Erb accepting/approving the Financial Report as of December 24, 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

07-493 A resolution was made by Ellis Erb authorizing payment of bills as of December 24, 2007 in the amount of \$99,401.84. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb yes
Galen Stoll yes
John Arnold yes

CORRESPONDENCE

1. Ohio Department of Public Safety – tax distribution
2. Time Warner Cable – notification of “effective competition”
3. Stark County RPC – minutes of the December 4, 2007 Nominating Committee
4. OTA/CLOUT – legislative updates
5. Ohio EPA – announcement of upcoming NPDES draft general permit renewals
6. Canton Township – 2000 Dodge truck sealed bids
7. OTA – retiring and rehiring question
8. NEFCO – December 19, 2007 Agenda
9. American Messaging – policy update
10. H & W Contractors, Inc. – December 12, 2007 closing of Broadvista NW
11. Stark County Commissioners – release of streets within St. James Place No. 10 and The Villas of St. James Place No. 3
12. Ohio Bureau of Workers’ Compensation – survey
13. OPERS – monthly retirement contribution reminder
14. Frank Gates – payroll report and premium payment reminder
15. Stark County Health Department – 2007 Collaborative Poll
16. Ohio EPA – public notice MS4
17. Range Resources – name change notification
18. OTA – requesting information on junkyards
19. Time Warner Cable – request for updated information on elected officials

DEPARTMENT REPORTS

Police Department

- Board acknowledged receipt of the Uniontown Police Department November 2007 Statistical Report.

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- Board acknowledged receipt of the Uniontown Fire Department statistical report for October 2007.

OLD BUSINESS:

07-494 A resolution was made by Ellis Erb rescinding Resolution No. 07-441 hiring William E. Bruce II as a Road & Bridge Auxiliary. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- Board acknowledged receipt of recycling grant update.

NEW BUSINESS:

07-495 Mr. Erb motioned to adopt the following resolution:

WHEREAS, the board of trustees and Fiscal Officer want to recognize the employees for their constant support and willingness to perform above and beyond their duty,

THEREFORE, be it resolved, in accordance with the *Lake Township Pay Scale Chart of 2006 - 2008*, the following STEP RAISES will with go into effect December 29, 2007:

LaVonne Hays/Administrative Support IV - *move to Step 2*
Cindy Caulfield/Administrative Support III - *move to Step 5*
Sophia Kapadia/Twp. Administrative Coordinator - *move to Step 5*
Christy Bresson/Twp. Fiscal Administrative Assistant -*move to Step 5*

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-496 Upon the request of Ben Sommers, Fiscal Officer of Lake Township, Mr. Erb moved the adoption of the following resolution:

WHEREAS, all non-union fulltime and part-time office staff employees are currently listed on the *Lake Township Pay Scale Chart 2006-2008*, and

WHEREAS, Sandy Smith has been employed by Lake Township in a non-union, part-time position for the Fiscal Department since Feb. 13, 2007,

Now, therefore, be it resolved by the Board of Trustees of Lake Township, that Sandy Smith should to be added to the *Lake Township Pay Scale Chart 2006-2008* under the classification of AS-II Positions, Step 4, effective December 29, 2007.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

John Arnold yes

07-497 Mr.Erb, moved for the adoption of the following resolution:

WHEREAS, the Ohio General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide "uniform regulatory framework" for the provision of cable television and/or other video service; and

WHEREAS, a video service provider that provides video service to subscribers within the Township pursuant to a state -- issued video service authorization must pay to the Township a video service provider fee ("VSP Fee") based on a percentage of the provider's gross revenues received from providing video serviced within the Township, not to exceed 5% of gross revenues; and

WHEREAS, the new statutes require that the percentage of gross revenues on which VSP Fees are paid must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect in the Township ("VSP Fee Percentage") or, if there is no franchise agreement under which fees are payable for a specific calendar quarter, the VSP Fee percentage shall be 0% of gross revenue unless the Township determined by Resolution that the VSP Fee will be a percentage of gross revenues not to exceed 5% of gross revenues; and

WHEREAS, the statutes require the Township to provide a video service provider with written notice of the VSP Fee Percentage within 10 days of receiving notice from the video service provider, pursuant to R.C. 1332.27 (A), that it will begin offering service within the Township; and

NOW THEREFORE BE IT RESOLVED, to provide notice to a video service provider of the VSP Fee Percentage, the Board hereby establishes a VSP Fee Percentage; and authorizes the Township Fiscal Officer to provide the notice of the VSP Fee Percentage to a video service provider within 10 days of the Township receiving notice that a video service provider will begin providing service within the Township as follows:

1. The Board of Trustees of Lake Township, Stark County Ohio establishes a VSP Fee that shall be calculated by applying a VSP Fee Percentage of five percent (5%) of the video service provider's gross revenues as defined in Section 1332.32 (B);
2. The VSP Fee shall be paid by each video service provider providing service within Lake Township, Stark County, on a quarterly basis but not sooner than 45 days and not later than 60 days after the end of each calendar quarter, as defined in Section 1332.32 (A);

3. The Township Fiscal Officer is authorized and directed to provide any video service provider with notice of the VSP Fee Percentage as determined by this Board, the notice shall be given by certified mail, return receipt requested, from every video service provider, that it shall began providing video service within Lake Township, Stark County, according to a state -- issued video service authorization.

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- 07-498 A resolution was made by Ellis Erb authorizing the purchase of new equipment for the Road Department for 2008. Cost of equipment not to exceed \$100,000.00.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

MEETING REPORTS:

- None

FISCAL OFFICER'S REPORT

- 07-499 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

- 07-500 Mr. Erb motioned to authorize the Fiscal Officer of Lake Township to request an Amended Certificate from the Stark County Budget Commission, which would allow the Lake Township Board of Trustees to make the following final budgetary adjustments in the 2007 Appropriations Budget and the 2007 Receipts Budget. These adjustments are due to the differences between the anticipated revenue and the actual revenue collected in the following funds in 2007:

2007 Final Budgetary Adjustments

<u>Fund</u>	<u>Amount</u>	<u>Reason</u>
#1 GENERAL FUND	\$ 343,000.00	Additional Interest, Property Taxes, Estate Taxes, Franchise fees, and other receipts collected
#2 MVL TAX	2,000.00	Additional Interest collected
#3 GASOLINE TAX	44,000.00	Additional Gas Tax and Interest collected
#4 ROAD & BRIDGE FUND	129,200.00	Additional Property Taxes and Sale of Equipment
#5 CEMETERY FUND	13,500.00	Additional Revenue for sale of lots & burials
#7A Uniontown Light .Dist.	356.00	Additional Assessments
#7B Greentown Light .Dist.	(2,268.00)	Less Assessments
#7C Mt. Pleasant Light .Dist.	(1,681.00)	Less Assessments
#7D Willowhurst Light .Dist.	11.00	Additional Assessments
#7E Windgate Light .Dist.	(610.00)	Less Assessments
#9 POLICE DISTRICT	32,300.00	Additional Property Taxes
#10 FIRE DISTRICT	45,000.00	Additional Property Taxes
#11 ROAD DISTRICT	20,800.00	Additional Property Taxes
#14D CAP. PROJECT FUND - TWP. ADM. BLDG	700,000.00	Funds to be transferred from the General Fund (interest and estate taxes)
#20 EMS FUND	16,490.00	Additional Property Taxes
#22 DRUG LAW ENFORCE.	(158.00)	Less fines
#33 LAW ENFORCE. EDUC.	55.00	Additional fines

Total budgetary adjustments: \$ 1,341,995.00

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-501 Mr. Erb motioned to authorize the Fiscal Officer of Lake Township to request an Amended Certificate from the Stark County Budget Commission, which would allow the Lake Township Board of Trustees to make the following final budgetary adjustments in the 2007 Appropriations Budget and the 2007 Receipts Budget. These adjustments are due to the differences between the anticipated revenue and the actual revenue collected in the following funds in 2007:

2007 Budgetary Adjustment

<u>Fund</u>	<u>Amount</u>	<u>Reason</u>
#14A ROAD AND BRIDGE RESERVE FUND	\$ 27,921.64	Funds to be transferred from the #4 Road & Bridge Fund to bring reserve balance back to \$100,500.00

Total budgetary adjustments: \$ 27,921.64

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-502 Mr. Erb moved the adoption of 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, 2008, 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-81	598,275.00
1-B-1 thru 1-B-8	23,000.00
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	800.00

	1-F-1 thru 1-F-8	1,000.00	
	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	95,500.00	
	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	718,575.00	718,575.00
2	MOTOR VEHICLE LICENSE TAX FUND		53,000.00
3	GASOLINE TAX FUND		200,000.00
4	ROAD AND BRIDGE FUND		1,070,422.00
5	CEMETERY FUND		3,000.00
7	LIGHTING ASSESSMENT FUND		
	7A - UNIONTOWN	49,932.00	
	7B - GREENTOWN	87,950.00	
	7C - MT.PLEASANT	14,000.00	
	7D - WILLOWHURST	1,000.00	
	7E - WINDGATE	<u>1,300.00</u>	
	TOTAL LIGHTING ASSESS. FUND	154,182.00	154,182.00
9	POLICE DISTRICT FUND		1,410,605.00
10	FIRE DISTICT FUND		1,881,446.00
11	ROAD DISTRICT FUND		720,889.00
14	RESERVE FUND - GENERAL		110,849.87
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.		900,000.00
15	GEN. BOND (NOTE) RETIREMENT FUND - SERVICE GARAGE		0.00
20	EMERGENCY MEDICAL SERVICES FUND		665,691.00
22	DRUG LAW ENFORCEMENT FUND		11,935.75
33	LAW ENFORCEMENT EDUCATION FUND		1,363.54
	GRAND TOTAL OF ALL FUNDS		<u>8,102,959.16</u>

Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-503 Mr. Erb moved the adoption of the following resolution:

WHEREAS, O.R.C. 5705.13 provides that a board of township trustees may establish reserve balance accounts to accumulate currently available resources to stabilize budgets against cyclical changes in revenues and expenditures, to provide for payment of claims under self-insurance programs as permitted by law; to provide for payment of claims under a retrospective ratings plan for workers' compensation, for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination or the retirement of officers and employees of the township; and,

WHEREAS, the Board of Trustees have established three (3) Reserve Funds, #14 General Reserve Fund, #14A Road and Bridge Reserve Fund, and #14B Uniontown Police District Reserve Fund for that purpose; and,

WHEREAS, the reserve balance in #14A Road and Bridge Reserve Fund has diminished as a result of two retirees and two resignations;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees for Lake Township Stark County, Ohio, approves the transfer of \$27,921.64 from #4 Road and Bridge Fund to #14A Road and Bridge Reserve Fund, restoring the reserve balance in #14A Road and Bridge Reserve Fund back to \$100,500.00.

Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-504 Mr. Erb moved the adoption of the following resolution:

WHEREAS, the Ohio Revised Code provides that a board of township trustees may establish a capital project fund for the purpose of collecting funds for the purchase of equipment or construction of public buildings; and,

WHEREAS, the Board of Trustees have established a fund #14D Capital Project Fund - Twp. Adm. Building for that purpose; and,

WHEREAS, the Board of Trustees wants to transfer earned interest and estate taxes accumulated during years 2006 & 2007 into this Fund,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Lake Township Stark County, Ohio, does hereby approve the transfer of \$700,000.00 from the General Fund to the #14D Capital Project Fund - Township Administration Building in the fiscal year 2007. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

- Transfer made on December 20, 2007 pursuant to Resolution No. 07-037:

\$27,921.64 from 4-A-25 (Contingency) to 4-A-14 (Transfers-Out)

07-505 A resolution was made by Ellis Erb authorizing the distribution of the 2008 Fire and EMS Funds. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

NOTE: Copy of distribution is attached and made a part hereof.

- Transfer made on December 24, 2007 pursuant to Resolution No. 07-037:

\$57,000.00 from 1-A-25 (Contingency Acct.) to 1-A-27 (Transfers)

07-506 A resolution was made by Ellis Erb acknowledging the 2007 Investment Report, as submitted by the Fiscal Officer. Interest earned in 2007 was \$208,048.84. Seconded by John Arnold. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-507 A resolution was made by Ellis Erb accepting the 2008 pay rates. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes
John Arnold	yes

07-508 A resolution was made by Ellis Erb adding Check No. 7199 to Hartville Kitchen in the amount of \$620.00 to the pending warrants for December 24, 2007. Seconded by Galen Stoll. Roll call votes were:

Ellis Erb	yes
Galen Stoll	yes

John Arnold yes

PUBLIC SPEAKS

Linda Tippel, 11375 Cleveland Ave. NW., Uniontown: Ms. Tippel voiced her concern regarding the barking dog resolution.

Sam Miller, 412 Jerome Ave, Hartville: Mr. Miller congratulated Mr. Arnold on his re-election. He questioned the Board regarding the transfer made into the Capitol Project Fund. The Board and Fiscal Officer explained to him that if the money is not allocated then the township can lose it. They have established the capitol project funds and reserve funds to insure that the money stays in the Township and will be available when needed. Mr. Miller also questioned which funds salaries are paid from. The board and fiscal officer explained that salaries are paid from the funds representing the departments the employees work for. The Board explained some of the cost savings measures they have taken.

07-509 A resolution was made by Ellis Erb adjourning the meeting. Seconded by Galen Stoll. 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

Prepared by LaVonne Hays

