

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:

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

Also Present:

- |                 |                |
|-----------------|----------------|
| Ben Sommers     | Jack Coontz    |
| Mary Ann Kannam | Andrew Stalker |
| Sam Miller      | Joy Dingman    |
| Michael Aube    |                |

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

09-224 A resolution was made by Galen Stoll approving the minutes of June 8, 2009, as submitted. Seconded by John Arnold. Roll call votes were:

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

09-225 A resolution was made by Galen Stoll approving the minutes of June 15, 2009, as submitted. Seconded by Ellis Erb. Roll call votes were:

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

09-226 A resolution was made by Galen Stoll authorizing payment of payroll for June 26, 2009, in the amount of \$39,532.23. Seconded by John Arnold. Roll call votes were:

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

09-227 A resolution was made by Galen Stoll authorizing payment of payroll for June 30, 2009, in the amount of \$11,397.94. Seconded by Ellis Erb. Roll call votes were:

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

09-228 A resolution was made by Galen Stoll authorizing payment of payroll for July 10, 2009, in the amount of \$42,112.90. Seconded by John Arnold. Roll call votes were:

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

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

09-229 A resolution was made by Galen Stoll accepting/approving the Financial Report as of June 22, 2009, as submitted by the Lake Township Fiscal Officer. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-230 A resolution was made by Galen Stoll authorizing payment of bills as of June 22, 2009 in the amount of \$40,880.03. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

### **CORRESPONDENCE**

1. OPERS – Employer Satisfaction Survey
2. Stark County Recorder – standardization guidelines for recording documents
3. Terry Witsaman – concerns about road conditions in Williamsburg Allotment
4. OTA and Genoa Twp. – legislative alerts
5. Jim Biddle – quiet time ordinance
6. Bruce M. Soares, Esq. – notice of Powell Electric’s application for Community Reinvestment Area
7. Stark County Board of Elections – request for updated information on elected officials
8. Ohio Department of Public Safety – Tax Distribution Reports (x2)
9. Jeff Heimbaugh – records request
10. NEFCO – June 17, 2009 Tentative Agenda
11. Security Distributors, Inc. – notification of name changes
12. Stark County RPC – notice of subdivision action (Glengarry Allotment)
13. Buckeye Energy Brokers, Inc. – electric aggregation program information
14. Al Garcia – 2009 crack sealing request for information
15. Los Alamos Technical Associates, Inc. – Summary Report on the March 2009 Groundwater Sampling Event at IEL
16. Ohio Department of Public Safety (BMV) – audit findings
17. ODNR – trail survey

09-231 A resolution was made by Galen Stoll, in reference to correspondence No. 3, authorizing the Board to forward a response to Terry Witsaman that Williamsburg Allotment is included in the paving plan for this year. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

09-232 A resolution was made by Galen Stoll, in reference to Correspondence No. 9, acknowledging the fiscal officer's response to Jeff Heimbaugh's records request for information regarding the fire departments. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**DEPARTMENT REPORTS**

**Police Department**

- None.

**Road Department**

- None

**Zoning Department**

- The Board acknowledged receipt of the May 2009 Zoning Report.

**Fire Departments/Fire Prevention Office**

- None

**OLD BUSINESS:**

09-233 A resolution was made by Galen Stoll authorizing the Board to execute the Construction Agreement with Northstar Asphalt, Inc., 7345 Sunset Strip NW, PO Box 2646, North Canton, Ohio 44720 for the 2009 Paving Project pursuant to Resolution No. 09-218. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-234 A resolution was made by Galen Stoll rescinding the April 27, 2009 Resolution No. 09-166 due to the company, Tuscoat Asphalt Paving and Sealing, selling the business. The company is under new ownership and the name has changed to Tuscoat LLC. Pursuant to this, the Board accepts the quote from Tim Thompson of Tuscoat LLC., 3701 Club Lane SE, New Philadelphia, Ohio 44663 for the application of rubber sealant to various township roads for a total cost not to exceed \$11,700.00. The Board further acknowledges that this amount is the same as the original quote accepted under Resolution No. 09-166. In addition the Board authorizes legal counsel to draft a new contract and the Board to execute same. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

09-235 A resolution was made by Galen Stoll authorizing the Board to execute the following Cemetery Deed:

Uniontown Greenlawn Cemetery, Section O, Lot 1, Graves 1, 2, 3 and 4.

*NOTE: This is a deed of correction to correct the amount paid for the lots. Original deed was signed under Resolution No. 08-324.*

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-236 Mr. Stoll moved the adoption of the following resolution:

WHEREAS, upon due investigation and consideration, the Board of Trustees of Lake Township has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for said Lake Township Fire District, Lake Township, Stark, County, Ohio for the next five (5) years will be insufficient to provide an adequate amount for the necessary requirements for said Lake Township Fire District for the purpose of providing ambulance or emergency medical services operated by fire departments or firefighting companies and the payment of departments or firefighting companies to operate the same for the Lake Township Fire District, Lake Township, Stark County, Ohio; and

WHEREAS, by reason thereof, this Board has determined that it will be necessary to renew a tax of one and one-quarter (1.25) mills, which is in excess of such limitation, for the purpose of providing ambulance or emergency medical services operated by fire departments or firefighting companies and the payment of fire departments or firefighting companies to operate the same for the Lake Township Fire District, Lake Township, Stark County, Ohio; and

WHEREAS, by reason of the facts set forth, this Board has determined that it should, and hereby does, declare itself to submit to the electors of the Lake Township Fire District, Stark County, Ohio, at the general election to be held on November 3, 2009, the question of levying a replacement of a tax outside the ten (10) mill limitation for the purpose of providing ambulance or emergency medical services operated by fire departments or firefighting companies and the payment of fire departments or firefighting companies to operate the same in Lake Township Fire District, Lake Township, Stark County, Ohio, for the period not to exceed (5) years, tax years 2010, 2011, 2012, 2013, and 2014. The tax levy will first be due in tax year 2010 and collected in tax year 2011 and thereafter.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Lake Township, Stark County, Ohio, on behalf of the Lake Township Fire District, Lake Township, Stark County, Ohio and as said taxing authority for said District, does hereby determine that it is necessary to levy a tax, outside the ten (10) mill limitation for the purpose of providing ambulance or emergency medical services operated by fire departments or firefighting companies and the payment of fire departments or firefighting companies to operate the same in Lake Township Fire District, Lake Township, Stark County, Ohio, for the period not to exceed (5) years, tax years 2010, 2011, 2012, 2013, and 2014. The tax levy will first be due in tax year 2010 and collected in tax year 2011 and thereafter.

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 5705.19(I), 5705.191, 15705.192, and 5705.25 and other related Sections of the Revised Code of Ohio and in accordance with the statutes in such cases made and provided; and

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

**PROPOSED TAX LEVY - (RENEWAL TAX)  
LAKE TOWNSHIP FIRE DISTRICT,  
LAKE TOWNSHIP, STARK COUNTY**

A majority Affirmative Vote is Necessary for Passage.

A renewal of a tax for the benefit of the Lake Township Fire District, Lake Township, Stark County, Ohio, of the purpose of providing ambulance or emergency medical services operated by fire departments or firefighting companies and the payment of fire departments or firefighting companies to operate the same in said Lake Township Fire District, Lake Township, Stark County, Ohio, at a rate not exceeding one and one quarter (1.25) mills for each one dollar of valuation, which amounts to twelve and one-half cents (\$0.125) for each one hundred dollars of valuation, for five (5) years, commencing in 2010, first due in calendar year 2011.

BE IT FURTHER RESOLVED that the Clerk of this Board be, and hereby is directed and authorized to certify this resolution to the Stark County Board of Elections, pursuant to the provisions of sections 5705.19(I), 5705.191, 5705.192, and 5705.25 and other related statutes and provisions 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 a legal requirements, including Section 121.22 of the Ohio Revised Code.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-237 Mr. Stoll made the following resolution:

WHEREAS, it appearing to the Board of Lake Township Trustees that the notice heretofore provided for by Resolution No. 09-211 (Dallas, Parcel 1905785, Lot A, Congress Lake Avenue NW ) adopted June 8, 2009 , has been duly served by certified mail or by publication once in the a newspaper of general circulation in Stark County, Ohio, upon the person therein named, and that he has failed to cut or destroy the noxious weeds or show this Board cause why there is no need for doing so as required under Section 5579.05 of the Ohio Revised Code, by June 17, 2009.

THEREFORE, BE IT RESOLVED that Alfred Raber whose address is 11033 Geib Ave., Hartville, OH 44632 be employed by Lake Township Trustees for an amount not to exceed \$225.00 for labor, material and equipment, to cut or destroy said noxious weeds, and that a written report be made by this Board to the auditor of Stark County of the cost of the labor, material and equipment and a proper description of the premises, as provided in Section 5579.06, 5579.07 and other provisions of the Revised Code of Ohio. The payment of said labor, material and equipment shall, upon approval of this Board, be paid out of the township general funds.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board noted that Tim Muckley called at 4:45 p.m. today to inform them that the noxious weeds on Parcel 1905759, Lot C, Pontius Road have been cut. LaVonne will check it tomorrow to confirm that this has been done.
  
- Noxious weeds – Stalker, 14088 Congress Lake Ave.

Andy Stalker, 14088 Congress Lake Ave., Hartville, OH; Mr. Stalker addressed the Board regarding his methods of removing the Canada Thistle from his 11.49 acre property. He does not want to mow the rear of the property so that it may re-naturalize and blend with the surrounding parklands; therefore he is cutting out just the thistle by hand leaving the various grasses and tree saplings. He has removed most of the thistle but some does remain has he continues to work on

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

it. This will be an ongoing process and he asks the Board that he be allowed to continue with his removal methods. The Board thanked him for communicating his plans with them and approved of his methods. Mr. Stalker also confirmed that the Muckley property had been mowed.

**NEW BUSINESS:**

09-238 A resolution was made by Galen Stoll authorizing the Board to request an extension on the Snow Removal Agreement with the Stark County Commissioners for plowing streets within The Highlands No. 1 and Hoover Estates No. 2. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-239 A resolution was made by Galen Stoll authorizing the Board to execute an Agreement with Carol Brown DBA Carol Brown Cleaning Service for cleaning services commencing July 1, 2009 and continuing through June 30, 2010 with no changes. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-240 A resolution was made by Galen Stoll authorizing an expenditure not to exceed \$11,378.00 (includes \$1,000 trade in for Minolta Di450) for the purchase of a Minolta Bizhub C451 Digital Full Color Copier/Printer/Scanner/ Fax with scan to e-mail, FRP and hard drive capabilities, 80 GB hard disk drive, user box functionality, automatic document feeder, duplexing - automatic 2 sided copying/printing, and finisher which allows multi-position stapling and 2 and 3 hole punch from Graphic Enterprises Office Solutions, Inc. Price also includes delivery, installation, set-up and training. In addition authorizing service agreement with Graphic Enterprises for the copier at a cost of \$24.75 per month plus \$0.089 per color copy, includes all parts, labor, mileage, calls, both black and color toner, remote phone support and loaner service. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

09-241 A resolution was made by Galen Stoll authorizing expenditure for the purchase of Cemetery Office Management Software for Uniontown Greenlawn and Woods Cemeteries from Legacy Mark, 284 Overhill Drive, Chambersburg, PA 17202, for an amount not to exceed \$7,000.00. This includes the software license, mapping for approximately 6,942 graves, 6 hours of training and \$310.32 for a year of software support which is subject to change in the future. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-242 A resolution was made by Galen Stoll based on information and photos provided by the Zoning Department, to schedule a public hearing for Monday July 27, 2009 at 6:20 p.m. to determine whether or not a nuisance exists at 3251 State Street NW, North Canton (junk vehicles) and 2961 Lancer Street NW, North Canton (vegetation - tall grass/weeds) and to contact the current property owner and lienholder(s), if applicable, and advise them of said date and intention. The regular Board meeting will start immediately following this public hearing. Seconded Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**MEETING REPORTS:**

- John Arnold attended the SCOG meeting where the Stark County 911 plans were discussed. Next generation equipment will be installed; this equipment will be able to communicate with all types communications sources.

**FISCAL OFFICER'S REPORT**

09-243 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers and Vendor's Certificates. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**PUBLIC SPEAKS**

- None

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



09-244 A resolution was made by Galen Stoll to enter into executive session at 7:02 p.m. pursuant to ORC 121.22 (G)(1)(4) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee and to include the Trustees and Fiscal Officer. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-245 A resolution was made by Galen Stoll to return from executive session at 7:55 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-246 A resolution was made by Galen Stoll moving Jack Coontz to Step VI of the 2009 Police Chief Pay Scale Chart effective June 27, 2009. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-247 A resolution was made by Galen Stoll adjourning the meeting at 7.56 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

\_\_\_\_\_  
Ben Sommers, Fiscal Officer

\_\_\_\_\_  
Galen Stoll, President

\_\_\_\_\_  
John Arnold, Vice President

\_\_\_\_\_  
Ellis Erb, Member

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_