

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
Joy Dingman	Dan Kamerer
Tom Renner	Mary Ann Kannam
Sam Miller	Don Wise
Melissa Link	Ray Martinez

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

09-432 A resolution was made by Galen Stoll approving the minutes of November 23, 2009, as submitted and acknowledging the correction to Resolution No. 09-416; payroll amount for November 30, 2009 changed to reflect the correct amount of \$11,124.85 instead of \$11,107.05 as originally stated during the meeting. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-433 A resolution was made by Galen Stoll authorizing payment of payroll for December 24, 2009, in the amount of \$74,867.89. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-434 A resolution was made by Galen Stoll accepting/approving the Financial Report as of December 14, 2009, as submitted by the Lake Township Fiscal Officer. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

09-435 A resolution was made by Galen Stoll authorizing payment of bills as of December 14, 2009 in the amount of \$714,496.20. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board noted that this amount includes about \$638,000.00 in Fire Department and EMS distribution.

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**CORRESPONDENCE**

1. U.S. Census Bureau – 2010 Boundary & Annexation Survey Workshop
2. Mary Taylor, Auditor of State – Audit Bulletin Revised
3. Ohio Township Association – general requests for information
4. OPERS – Employer Notice
5. Time Warner Business Class – service agreement notice
6. Stark Council of Governments – notice of December 8, 2009 meeting
7. Stark County Regional Planning – Stark County Neighborhood Stabilization Program
8. Grassroots Clippings – December 2009 issue
9. Stark County Engineer – notice of Duquette Avenue road closing (December 2, 2009)
10. Ohio Township Association – legislative alerts and OTA update
11. Ohio EPA – 2010 Surface Water Improvement Fund Statewide Grants information
12. Stark County Township Association – December meeting notice
13. Ohio Department of Administrative Services – program updates
14. Kent State – notice to Efficient Gov Now participants
15. Stark County Regional Planning – December 8, 2009 Agenda
16. Ohio Department of Development – notice to lower flag to half-staff on December 7, 2009
17. Stark County Recorder – information about filing fees and guidelines
18. NEFCO – tentative agenda for December 16, 2009 meeting
19. Joint Solid Waste District – information regarding the Yard Waste Program
20. Stark County Regional Planning – Notice of Subdivision Action (Kennedy Estates & Atlantis Outfitters)
21. OEDA Dateline – December 2009 newsletter
22. Stark County Commissioners – notice of release of maintenance bonds for Highland Creek Nos. 3 and 4

**DEPARTMENT REPORTS**

**Police Department**

- The Board acknowledged receipt of the November 2009 Statistical Report for UPD.

**Road Department**

09-436 A resolution was made by Galen Stoll hiring John Higginbotham as an auxiliary road department employee (group “A”) at \$12.00/hour, subject to the provisions of the Lake Township Employee handbook and contingent upon successful completion of a drug test. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

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09-437 A resolution was made by Galen Stoll hiring Vincent Criswell as an auxiliary road department employee (group "A") at \$12.00/hour, subject to the provisions of the Lake Township Employee handbook and contingent upon successful completion of a drug test. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

**Zoning Department**

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

**Fire Departments/Fire Prevention Office**

- None

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

09-438 Mr. Stoll 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 would choose to transfer earned interest, estate taxes, and cable franchise fees accumulated from 2009 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 \$200,000.00 from the General Fund to the #14D Capital Project Fund - Township Administration Building in the fiscal year 2009.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

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09-439 Mr. Stoll 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, #1A General Reserve Fund, #14A Road and Bridge Reserve Fund, and #14B Uniontown Police District Reserve Fund for that purpose;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees for Lake Township Stark County, Ohio, approves the transfer of \$35,000.00 from #9 Uniontown Police District Fund to #14B Uniontown Police District Reserve Fund.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

09-440 Mr. Stoll 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 maintenance building(s), and

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

WHEREAS, the board of trustees, in accordance with O.R.C. 5549.21, has established a CAPITAL PROJECT FUND - TOWNSHIP MAINTENANCE BUILDING(S) 14E for a the purpose of accumulating resources for the acquisition, construction, reconstruction, excavation, demolition, or improvement of the Lake Township Maintenance Building(s), and,

NOW THEREFORE, BE IT RESOLVED, that the Board of Township Trustees authorize the Lake Township Fiscal Officer to transfer One Hundred Thousand Dollars (\$100,000.00) from the #4 FUND - ROAD & BRIDGE for said purpose, to be held in this fund for no longer than a period of ten (10) years.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

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09-441 Mr. Stoll 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 #14F Capital Project Fund - UPD Building for that purpose; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Lake Township Stark County, Ohio, does hereby approve the transfer of \$200,000.00 from the #9 POLICE DISTRICT FUND to the #14F CAPITAL PROJECT FUND - UPD BUILDING in the fiscal year 2009, to be held in this fund for no longer than a period of ten (10) years.

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

09-442 A resolution was made by Galen Stoll authorizing the distribution of the 2010 Fire and EMS 2010 funds (a full copy of distribution will be attached and made a part of the minutes). Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

09-443 A resolution was made by Galen Stoll executing the following Road Open Permit:

- D-09-24: Dominion East Ohio (Mt. Pleasant Street) relocate main lines for road improvement by Stark County

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

09-444 A resolution was made by Galen Stoll accepting and acknowledging an addition (No. 1.26) to the Uniontown Police Department Policy and Procedures Manual, effective December 8, 2009. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

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09-445 A resolution was made by Galen Stoll to waive the hearing and authorize Fiscal Officer to execute the "Notice to Legislative Authority" from the Ohio Division of Liquor Control for Permit No. 31275540005 for George R. Gran Inc. dba Seven Hills Country Club. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
Johns Arnold	yes
Ellis Erb	yes

09-446 Mr. Stoll made the following resolution:

Whereas the Board of Trustees finds that it has two vehicles that are not needed and no longer used by the Township; therefore pursuant to Ohio Revised Code Sections 505.10 and 505.101, the Board hereby accepts the offer of \$15,000.00 from the Village of Hartville for the purchase of one of the following two vehicles:

- 2007 Ford Crown Victoria Police Interceptor  
 SERIAL NO. 2FAFP71W77X143093  
 4.6L V8 ENGINE  
 ELECTRONIC 4-SPEED AUTOMATIC TRANSMISSION  
 MILEAGE: 51,566  
 HEAVY-DUTY BATTERY  
 DUAL EXHAUST SYSTEM  
 3.55 REAR AXLE RATIO  
 CLOTH BUCKETS/CLOTH REAR SEATS  
 POLICE PACKAGE

**ACCESSORIES INCLUDE:** LIGHT BAR, 800 RADIO, SIREN, CONSOLE, MDT MOUNT STAND, 800MHZ SCANNER (TRUNK MOUNT), BATTERY SAVER, SHOTGUN AND RIFLE RACKS, PRISONER CAGE, AND TRUNK ORGANIZER. **ACCESSORIES DO NOT INCLUDE** WATCH GUARD VIDEO RECORDING SYSTEM OR STALKER RADAR.

- 2007 Ford Crown Victoria Police Interceptor  
 SERIAL NO. 2FAFP71W77X143094  
 4.6L V8 ENGINE  
 ELECTRONIC 4-SPEED AUTOMATIC TRANSMISSION  
 MILEAGE: 58,617  
 HEAVY-DUTY BATTERY  
 DUAL EXHAUST SYSTEM  
 3.55 REAR AXLE RATIO  
 CLOTH BUCKETS/CLOTH REAR SEATS  
 POLICE PACKAGE

**ACCESSORIES INCLUDE:** LIGHT BAR, 800 RADIO, SIREN, CONSOLE, MDT MOUNT STAND, 800MHZ SCANNER (TRUNK MOUNT), BATTERY SAVER, SHOTGUN AND

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RIFLE RACKS, PRISONER CAGE, AND TRUNK ORGANIZER. ACCESSORIES **DO NOT**  
INCLUDE WATCH GUARD VIDEO RECORDING SYSTEM OR STALKER RADAR.

At such time that the Village has reached a decision as to which vehicle they will purchase, the Board of trustees will acknowledge, by resolution, the transfer of said vehicle.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**MEETING REPORTS**

- John Arnold noted that the 911 Planning Committee meeting planned for later this month, has been pushed back until January.

**FISCAL OFFICER’S REPORT**

09-447 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

- The Board acknowledged the following transfers within a fund made pursuant to Resolution No. 09-024:

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
12/01/09	\$10,000.00	10-A-15C ((2% Holdback)	10-A-15 (Other Expenses)

*Purpose: to set up a purchase order for end of year expenses.*

12/08/09	\$5,400.00	9-A-10 (Contracts)	9-A-12 (Insurance)
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*Purpose: to cover medical insurance for January 2010.*

11/24/09	\$121.00	2-B-2 (Material)	2-A-9B (Other-Audit Fees)
11/24/09	\$456.00	3-A-6	3-A-10B

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		(Repairs)	(Other-Audit Fees)
11/24/09	\$1,586.00	4-A-10	4-A-13B
		(Insurance)	(Other-Audit Fees)
11/24/09	\$1,860.00	9-A-14A	9-A-14C
		(Auditor's Fees)	(Other-Audit Fees)
11/24/09	\$2,333.00	10-A-14C	10-A-15D
		(2% Holdback)	(Other-Audit Fees)
11/24/09	\$900.00	11-A-4	11-A-12C
		(Tools & Equipment)	(Other-Audit Fees)
11/24/09	\$800.00	20-A-8B	20-A-8C
		(2% Holdback)	(Other-Audit Fees)
11/24/09	\$170.00	23-A-4	23-A-7A
		(Other Expenses)	(Other-Audit Fees)

*Purpose: To set up purchase order for 2008-2009 Audit Fees.*

09-448 Mr. Stoll 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 budgetary adjustments in the 2009 Appropriations Budget and the 2009 Receipts Budget. These adjustments are due to the transfer of revenue to Capital Project Funds from the funds listed below:

**2009 Budgetary Adjustment**

<u>FUND</u>	<u>Amount</u>	<u>Reason</u>
14B Reserve Fund Police	\$ 35,000.00	Funds were transferred from the #9 Police District Fund per Res. #09-439 that were not budgeted
14D Capital Project Fund Twp. Adm. Bldg.	\$100,000.00	More Funds were transferred from the #1 General Fund per Res. #09-438 than originally budgeted. (\$200,000 was transferred but \$100,000 was previously budgeted for the transfer.)
14E Capital Project Fund Twp. Maintenance Bldgs.	\$100,000.00	Funds were transferred from the #4 Road & Bridge Fund per Res. #09-440 that were not budgeted.
14F Capital Project Fund UPD Bldgs.	(\$ 50,000.00)	Less Funds were transferred from the #9 Police District Fund per Res. #09-441 than originally budgeted. (\$200,000 was transferred but \$250,000 was originally budgeted for the transfer)

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**Total budgetary adjustments: \$ 185,000.00**

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

**PUBLIC SPEAKS**

Ray Martinez, First Energy Corp.: Addressed the Board regarding Electric Aggregation, he explained that it is very much like the gas aggregation that the Township is involved in, which allows residents to pool together. Stark County had an Electric Aggregation issue on the ballot in November that failed. However there is an opportunity for Townships to become certified aggregators and pass on savings to the residents of the Township. He introduced Emily Ochsenhirt from First Energy Solutions who will provide more information on Electric Aggregation.

Emily Ochsenhirt, First Energy Solutions: Ms. Ochsenhirt addressed the Board regarding the Opt-Out Aggregation Proposal for Lake Township. This program would run for 9 years and offer a 6% discount for residents and a 4% discounts for commercial customers and would cover all township residents unless they opt-out. This issue could go on the ballot in May and if it passes, residents would start seeing savings in August or September of 2010. First Energy Solutions is also offering a one-time community grant of approximately \$230,000.00 (\$30.00 per customer enrolled in program).

09-449 A resolution was made by Galen Stoll to enter into executive session at 6:55 p.m. pursuant to ORC 121.22 (G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee to include the Trustees and Fiscal Officer. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-450 A resolution was made by Galen Stoll to return from executive session at 7:10 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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09-451 A resolution was made by Galen Stoll promoting part-time officer, Edgar Beverage, to a full-time position with the Uniontown Police Department, effective January 9, 2010, with salary starting at the probationary patrolman level and benefits in accordance with the Collective Bargaining Agreement and pursuant to all provisions of the Lake Township Employee Handbook. Seconded Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

09-452 A resolution was made by Galen Stoll adjourning the meeting at 7:11 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

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Ben Sommers, Fiscal Officer

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Galen Stoll, President

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John Arnold, Vice President

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Ellis Erb, Member