

The Board of Lake Township Trustees met in a special meeting at 5:00 p.m. at 12360 Market Avenue North, Hartsville, Ohio with the following members present:

John Arnold, President
Galen Stoll, Member

Also Present:

Ben Sommers	Earl G. McGlung
Jim Shaffer	William Dotty
Nancy Brown	Bill Brown
Don Myers	Mel Noble
Clarence M. Chandler	Ron Myers
Michael Kuhn	Michael Kemp
Joy Dingman	Daniel R. Kamerer
Roy Yoder	Dan Robinson
Marty Miller	Jim Miller
Dan Horba	Miguel Hunt
Jeremy Yoder	Rodney R. Yates Smith
Tyler Boiangin	Bob K....
Steve Lacey	

John Arnold called the meeting to order at 5:00 p.m.

12-063 Trustee John Arnold moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees has lawfully published the required statutory notice for this Special Meeting, and;

WHEREAS, the Lake Township Board of Trustees, pursuant to RC 3515.15 and upon advice of the Stark County Prosecuting Attorney must consider whether an appeal should be filed to the Ohio Supreme Court from the Judgment Entry docketed on January 25, 2012 in the case captioned **IN RE: THE CONTEST OF THE ELECTION HELD ON STARK COUNTY ISSUE 6 (LAKE TOWNSHIP POLICE DISTRICT) IN THE GENERAL ELECTION HELD NOVEMBER 8, 2011** Stark County Court of Common Pleas, Case Number 2011CV03947, Judge Haas.

NOW THEREFORE, BE IT RESOLVED, that the Lake Township Board of Trustees pursuant to RC 3515.15 and upon advice of the Stark County Prosecuting Attorney does hereby direct the Stark County Prosecuting Attorney to file an appeal to the Ohio Supreme Court from the Judgment Entry docketed on January 25, 2012 in the case captioned **IN RE: THE CONTEST OF THE ELECTION HELD ON STARK COUNTY ISSUE 6 (LAKE TOWNSHIP POLICE DISTRICT) IN THE GENERAL ELECTION HELD NOVEMBER 8, 2011.**

BE IT FURTHER RESOLVED that the Fiscal Officer and Clerk of this Board be, and he hereby is, directed and authorized 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 all legal requirements including Section 121.22 of the Ohio Revised Code.

Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Galen Stoll	yes

- The Board noted that regardless of their actions, the issue would be appealed by the Stark County Board of Elections and the citizen’s committee.

PUBLIC SPEAKS

Rodney Smith, 2985 Chalford Cir., North Canton; Mr. Smith addressed the Board regarding the cost of the Police expansion. He calculated what the levy would cost him and it came to \$19.50/month and feels it is worth it. He supports the expansion and appreciates it.

Michael Kemp, 8886 Prancer Ave., North Canton; Mr. Kemp addressed the Board regarding the appeal. He would like to see a vote on a new levy. He is happy with the Sheriff Department’s coverage and thinks services should be consolidated. He asked about the cost associated with this issue. The Board responded that Charlie Hall, the township legal counsel is not representing the township in this matter, the township is being represented by the Stark County Prosecutor’s office and there is no cost. No Lake Township funds are being used for this.

Michael Kuhn, 10376 Scottney Ave., North Canton; Mr. Kuhn asked the Board when they knew there was an error on the ballot. Mr. Hall gave the following timeline; the Fiscal Officer received a letter from Stark County Board of Elections on August 26th informing him the police question would be issue #6 and the official ballot language would follow. Nothing was ever sent from the Board of Election to Lake Township. On October 12th, Chief Britt went to the Board of the Elections and was informed by staff at the Board of Elections that there was a problem with the wording on the ballot, Chief Britt notified Fiscal Officer Sommers. On October 13th, Mr. Sommers after consulting with one or more of the Trustees made inquiry, through legal counsel, of the Board of Elections as to what the problem was. On October 13th, for the first time, they received a copy of a hand written note from the Ohio Secretary of State regarding the error, when they received this, the trustees made inquiry, through legal counsel, as to what they could do to correct it. The Board of Elections staff informed them that the absentee ballots were out and it was too late, no changes could be made. Mr. Kuhn’s stated that the issue should be voted on again.

Elizabeth Burick; Ms. Burick questioned the Board regarding the tax collected and the cost incurred due to the expansion of the police district and what would happen should the Supreme Court uphold Judge Haas's decision. The Board informed Ms. Burick that the Uniontown Police Budget is now the Lake Township police budget, but no additional officers have been hired or additional equipment purchased. A stay order has been granted and the township has a responsibility to provide police protection to the township until this issue has been resolved. Should the decision be upheld, taxes collected would be credited on the next tax bill. She questioned Charlie Hall's involvement with the case. Mr. Hall stated that he represents the citizen's committee. He is retained by that committee and they will pay his bill. Ms. Burick asked when a referendum could be started. Mr. Hall informed her that you can start circulating a petition as soon as the statute allows.

Nancy Burn, 13544 Marlene, Hartville; Mrs. Burns addressed the Board as a forty year resident of the township who has patiently waited for police coverage. She supported the police levy now and five years ago because she feels it is a very important safety issue and improves the quality of life in the township. She said when an election result did not go her way she may not have liked it but that was the way it went, that is a democracy. If this election result gets thrown out, then her vote has been diminished.

Earl McClung, 1187 Geib, Hartville; Mr. McClung addressed the Board regarding the water board that was started many years ago and then dissolved. Also asked what is going to keep the police department from asking for more money in the future?

Bob Kisha, 1063 Wright Rd, Uniontown; Mr. Kisha asked the Board if they had the power to stop the appeal process. They responded that they do not have any control over the Stark County Board of Elections or the citizen's committee. Because the issue was a two fold, the expansion of the police district and the tax amount, and passed by a majority vote the Trustees do not have jurisdiction to stop the process only the voters can do that through referendum or it can be done through the courts. He asked the Board if they would consider all qualified bidders for this proposition. The Board responded that you also have to look at the likelihood of those bidders getting the contract based on the majority of the people in the township.

Dan Robinson, 3498 State St, North Canton; Mr. Robinson addressed the Board regarding the police levy he feels that it is embarrassing. The Board stated there was no intent to mislead or misinform, it was simply a clerical error, both sides agreed to that. There were opportunities for the township to be notified that the ballot was incorrect and those all fell through the cracks. There are procedures that are going to be changed from the state level to the county level to township level to insure that this never happens again.

Bill Doty, 3288 State St., Greentown; Mr. Doty asked the Board when they were notified that the ballot was incorrect? The Board responded they were informed there was an error on October 13th. Mr. Doty feels the ballot is illegal.

Jeremy Yoder, 2481 Kim St., Hartville; Mr. Yoder addressed the Board regarding the police expansion. He supports the police and feels safe, he hates paying taxes but that is part of life. The past is the past and let's move forward and right now what police are there lets welcome them and appreciate them.

12-050 A resolution was made by John Arnold adjourning the meeting at 6:00 p.m. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Galen Stoll	yes

Ben Sommers, Fiscal Officer

John Arnold, President

- Absent -

Ellis Erb, Vice President

Galen Stoll, Member

