

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:

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

Also Present:

Ben Sommers	James Shaffer
Joy Dingman	Michael Wilt
Lynn Wilt	Mary Ann Kannam
Craig Lonce	Sam Miller

John Arnold called the meeting to order at 6:30 p.m.

12-320 A resolution was made by John Arnold approving the minutes of September 24, 2012 as submitted. Seconded by Ellis Erb. Roll call votes were:

John Arnold	abstain
Ellis Erb	yes
Galen Stoll	yes

12-321 A resolution was made by John Arnold authorizing payment of payroll for October 12, 2012 in the amount of \$45,372.16. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-322 A resolution was made by John Arnold accepting/approving the Financial Report as of October 8, 2012, as submitted by the Lake Township Fiscal Officer. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-323 A resolution was made by John Arnold authorizing payment of bills as of October 8, 2012 in the amount of \$677,295.09. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

- The Board noted that this amount includes approximately \$600,000.00 for payments to the Fire Departments and EMS.

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

**CORRESPONDENCE**

1. Larry Kraus -- inquiring about the Township's Fall Clean Up
2. Robert Lucius -- inquiring about street lights within The Highlands and The Highland Reserves allotments
3. Ohio Deferred Compensation -- reminder of Ohio Deferred Compensation billings
4. EnerVest Operating, LLC -- reminder of the rules governing the delivery of domestic gas and hazards associated with the consumption of gas
5. Ohio Township Association -- legislative alerts
6. Ohio Township Association -- October 2012 *Grassroots Clippings* Newsletter
7. Stark County Township Association -- October 18, 2012 Meeting Notice
8. Craig Lonce -- information/registration form for the upcoming Lake Y Challenge
9. Centers for Medicare & Medicaid Services -- information regarding Data Match program and request to complete questionnaire
10. Stark County Regional Planning Commission -- notice of October 9, 2012 meeting
11. United States Department of Commerce / U.S. Census Bureau -- requesting assistance in the 2012 Census of Governments
12. Time Warner Cable -- notice of internal restructuring
13. Stark County Regional Planning Commission -- October 9, 2012 Agenda and Minutes of September 4, 2012

**DEPARTMENT REPORTS**

**Police Department**

12-324 A resolution was made by John Arnold hiring Kristina Albrecht effective October 6, 2012 as a Reserve Officer for the Uniontown Police Department, subject to the provisions of the Lake Township Employee Handbook and contingent upon successful results of a psychological exam. The Board further acknowledges that, pursuant to the Police Chief, Ms. Albrecht has successfully passed the polygraph exam and drug test. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-325 A resolution was made by John Arnold accepting the resignation of Cory J. Kuzyk as reserve officer with the Uniontown Police Department, effective September 11, 2012. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

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

**Road Department**

- The Board noted that the new recycle area is progressing well.

**Zoning Department**

- The Board acknowledged receipt of the September 2012 Zoning Report.

**Fire Departments/Fire Prevention Office**

- The Board asked for a moment of silence in memory of former Marlboro Fire Chief Gary Haines.

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

12-326 A resolution was made by John Arnold authorizing a 1% pay increase for Harold Britt and David Brown retroactive to April 1, 2012. The Board further resolves to accept the revised 2012-2014 Department Head and Supervisory Level Pay Scales which includes this increase. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-327 A resolution was made by John Arnold authorizing the Board to execute the following Cemetery Deeds:

Mt. Peace Cemetery: Section 3, Lot 91, Graves 1 & 2  
Mt. Peace Cemetery: Section 2, Lot 289, Grave 3

Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

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

12-328 A resolution was made by John Arnold authorizing the Board to execute the following Road Open Permits:

- D-12-37: Dominion East Ohio Gas - Tumbleweed Street NE (gas tie-in)
- D-12-38: Dominion East Ohio Gas - 11282 Billingham Ave. (gas tie-in)
- D-12-39: Dominion East Ohio Gas - 8961 Peterson Avenue (gas tie-in)
- O-12-08: Bachtel Excavating, Inc. - 3454 Mt. Pleasant Street (1" water tap)

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-329 Trustee Arnold moved the adoption of the following resolution:

The board of township trustees of Lake Township, in said county, hereby makes report and certified that on the 14th day of October, 20 12, it was informed in writing that noxious weeds were growing on the lands of Chase Home Finance LLC in said township and were about to spread and mature seeds; said lands being described as follows: Parcel No. 2204614, 13175 Sugarbush Ave. NW, Mogadore, OH 44260, Section 5 SE, Lake Township and there upon 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>110.00</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>
<b>TOTALS</b>	<b>\$ <u>185.00</u></b>

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 Chase Home Finance LLC 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:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

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

12-330 A resolution was made by John Arnold authorizing the Fiscal Officer to release Lake Township Road Open Permit No. O-12-06 (Bachtel Excavating) for 8393 Daisywood Avenue. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-331 A resolution was made by John Arnold pursuant to the September 21, 2012 request from Lake Local School District Facilities and Transportation Office and in accordance with Section 7B.14 (School Bus Stop Ahead Sign / S3-1) of the Ohio Manual of Uniform Traffic Control Devices, the Board hereby authorizes correspondence be forwarded to the Stark County Engineer's Office requesting that a traffic engineering study be performed and their recommendation is received before the Township installs the requested sign on Twin Hills Avenue. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-332 A resolution was made by John Arnold determining that no more than two (2) remains shall be buried in a single burial space; either a single full burial, a full burial with a single cremation burial, or two (2) cremation burials. All full burials require a vault. All markers must fit within the boundaries of the grave space including the required foundation border, headstones may be flush or above grade, but all footstones must be flush with the ground. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

12-333 Trustee Arnold moved the adoption of the following resolution:

WHEREAS, the Developer and Contractor for Heritage Glen No. 3 Allotment as situated within Lake Township, Stark County, has not completed the superstructure and infrastructure developments as required by the Stark County Subdivision Requirements; and

WHEREAS, the Developer and Contractor for Heritage Glen No. 3 Allotment as situated within Lake Township, Stark County, has posted a performance bond with the Stark County Commissioners, as the legislative authority over the Stark County, Subdivision Engineer; and

WHEREAS, the Developer and Contractor for Heritage Glen No. 3 Allotment have filed bankruptcy, are determined to be uncollectible, and there are mortgages and other creditors who have priority of any claims of the Stark County Commissioners, the Stark County Subdivision Engineer and Lake Township Board of Trustees so as to render the bond of no value and the likelihood of completion improbable; and

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

WHEREAS, the Stark County Subdivision Engineer is recommending to the Lake Township Board of Trustees and to the Stark County Board of Commissioners, that the remaining claims against the Developer and Contractor for Heritage Glen No. 3 Allotment be waived as uncollectible and that the subdivision be accepted in its current condition.

NOW THEREFORE, BE IT RESOLVED, that the Lake Township Board of Trustees does hereby accept and does consent to the recommendation of the Stark County Engineer to the Stark County Board of Commissioners to accept the Heritage Glen No. 3 Allotment in its current state of completion and to not further pursue claims against the Developer, Contractor or bonding company as being uncollectible; and

BE IT FURTHER RESOLVED that the Lake Township Board of Trustees does consent to the Board of Stark County Commissioners accepting the Heritage Glen No. 3 Allotment in its current state of completion and condition; and

BE IT FURTHER RESOLVED that the Lake Township Board of Trustees does not agree to and will not complete any of the deficiencies, including the completion of sidewalks within the Heritage Glen 3 Allotment all as is more directly and specifically set forth in the construction inspection report as prepared by the Stark County Subdivision Engineer dated April 17, 2012.

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
Ellis Erb	yes
Galen Stoll	yes

**MEETING REPORTS/MISCELLANEOUS**

- None

**FISCAL OFFICER'S REPORT**

12-334 A resolution was made by John Arnold authorizing the Board and Fiscal Officer to sign all Purchase Orders and Vouchers. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

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

12-335 A resolution was made by John Arnold accepting the Rates and Amounts for the Fiscal Year 2013, a copy of which has been made a part of these minutes. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

- The Board acknowledged in accordance with Res. #12-024, the following transfers were made:

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
10/01/12	\$3,000.00	1-A-25 (Contingency)	1-B-08 (Other Expenses)

*Purpose: To Setup a Blanket for the Last Quarter Expenses in 1-B-8  
(Adm. Bldgs. - Other Expenses)*

**PUBLIC SPEAKS**

Craig Lonce, Lake Community YMCA; Mr. Lonce addressed the Board regarding upcoming Lake Y Challenge on November 11<sup>th</sup>. This event is open to those 13 years of age and older and will consist of a 3.1mile run with obstacle challenges, no roads will be closed and traffic will not be disrupted. Any proceeds will go Lake F.I.S.H.. He asked the Board for permission to use the Lake Community Park and borrow some traffic cones.

12-336 A resolution was made by John Arnold supporting and approving of the Lake Community Y challenge and will assist anyway they can. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

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

12-337 A resolution was made by John Arnold adjourning the meeting at 7:00 p.m. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

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

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

\_\_\_\_\_  
Ellis Erb, Vice President

\_\_\_\_\_  
Galen Stoll, Member

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