

The Board of Lake Township Trustees met in regular session at 6:30 p.m. at 12360 Market Avenue North, Hartsville, Ohio with the following members present:

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

Also Present:

Sandy Smith, acting clerk
Michael Wilt
Joy Dingman
Daniel R. Kamerer

Galen Stoll called the regular meeting to order.

- The Board proceeded to open and review the bids received for the 2014 Paving Project (4 bids received).

- 1) Northstar Asphalt, Inc. \$1,035,918.35
- 2) Central Allied Enterprises, Inc. \$1,054,306.30
- 4) The Shelly Company \$1,105,239.25
- 5) Superior Paving & Materials Inc. \$1,008,675.95

The Board asked the Road Superintendent to review the bids.

- The Board proceeded to the bids for Real Property on Cleveland Avenue- Pursuant to Resolution No. 14-209 adopted on June 9, 2014 (0 bids received)

14-228 A resolution was made by Galen Stoll approving the minutes of June 23, 2014 as submitted. Seconded by John Arnold. Roll call votes were:

Galen Stoll yes
John Arnold yes
Ellis Erb yes

14-229 A resolution was made by Galen Stoll authorizing payment of payroll for July 18, 2014 in the amount of \$76,400.77. Seconded Ellis Erb. Roll call votes were:

Galen Stoll yes
John Arnold yes
Ellis Erb yes

14-230 A resolution was made by Galen Stoll approving the June 2014 Month End Financial Report. Seconded John Arnold. Roll call votes were:

Galen Stoll yes
John Arnold yes
Ellis Erb yes

14-231 A resolution was made by Galen Stoll accepting/approving the Financial Report as of July 14, 2014 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

14-232 A resolution was made by Galen Stoll authorizing payment of bills as of July 14, 2014 in the amount of \$848,552.03. Seconded by John Arnold. Roll call votes were

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board noted that this amount included approximately \$700,000.00 in payments to the fire departments, \$50,000.00 for 2 new police cruisers and \$90,000.00 for the new salt shed.

CORRESPONDENCE

1. Stark County Health Department -- mosquito spraying schedule for July 7, 2014 - July 11, 2014 and July 14, 2014 - July 18, 2014
2. NEFCO -- July Board meeting agenda for the Northeast Ohio Four County Regional Planning and Development Organization
3. YMCA of Central Stark County -- invitation to the biennial regional YMCA legislative breakfast on August 13, 2014
4. Stark County Commissioners -- information about the purchase of a countywide Computer Aided Dispatch (CAD) system and offer of participation in the use of system for a share of the maintenance costs
5. Stamper Concrete Service, Inc. -- Notice of Furnishings for the Salt Storage Building
6. Hylant/Ohio Plan Healthcare Consortium -- notice of Lake Township PCORI Fee in conjunction with the HRA plan for year 2013 and 2014
7. Center for Marketing and Opinion Research for the Stark County Health Dept. -- request for participation in online survey
8. Family of Patricia Cigolle -- thank you to the UPD
9. Stark Soil and Water Conservation District -- Site Inspection Reports (Kirk Key Interlock; Lake Township Salt Storage Building; Comfort Suites; Top Advantage Building)
10. Stark County Regional Planning Commission -- Program Year 2015 Infrastructure Application Notification for OPWC funds
11. Stark County Regional Planning Commission -- July 8, 2014 Meeting Agenda and June 8, 2014 Minutes
12. Stark County Regional Planning Commission -- copy of correspondence mailed to Glengarry Properties, Ltd. in reference to Glengarry No. 1 Allotment
13. Stark County Regional Planning Commission -- copy of correspondence sent to Roger Bugh regarding Bugh Vinyl Products (canvas shelter)

July 14, 2014

14. Federal Communications Commission -- Informational Notice of Section 106 Filings for a New Tower Submission Packet at 1499 Midway Street NW
15. Stark County Transportation Improvement District -- notice of July 14, 2014 meeting cancellation
16. Ohio Public Employees Retirement System -- July 1, 2014 *Employer Outreach* Notice
17. Ohio Township Association -- legislative alert and information
18. United Way Stark County -- notice of a July 23rd breakfast sponsored by Alan Harold and Kathy Catazaro
19. Andrew Keller -- inquiring about spraying of mosquitoes
20. Stark County Regional Planning Commission -- Notice of July 7, 2014 meeting
21. Ohio Bureau of Workers' Compensation -- correction of information contained in a letter recently sent out by BWC regarding the transition to a prospective billing system
22. Ohio Department of Job & Family Services -- reminder to file and pay Q2 2014 Ohio Unemployment Compensation Quarterly Tax Return
23. Ohio Township Association -- July 2014 *Grassroots Clippings* Newsletter
24. Whitaker Myers Insurance Group -- renewal of Ohio Plan Package Policy which was effective April 1, 2014 through Ohio Plan Risk Management, Inc.
25. Larry Ray -- thank you to the Road Superintendent
26. Stark County Health Department -- request to participate in a community survey
27. Stark County Regional Planning Commission -- Notice of July 8, 2014 meeting
28. Ohio Department of Job and Family Services -- information regarding State Information Data Exchange System
29. Stark County Regional Planning Commission -- Notice of Subdivision Review
30. Lynette Kreidler -- thank you to Road Superintendent
31. The University of Akron -- notice of new member (Chapel Hill Christian Hill, Franklin Township and Summit County Educational Service Center) to the CUE program
32. Stark County District Library -- 2013 Stark County District Library annual report
33. Jeff Grisan -- Lake Soccer Club/concerns with current condition of soccer fields at Lake Township Park
34. Ohio Deferred Compensation -- Q2 2014 Employer Statement
35. Paragraphics -- clarification of their receivables policies
36. Stark County Regional Planning Commission -- copy of correspondence mailed to DB Partners of Ohio, LLC regarding The Highland Reserves Allotment

- In reference to the following correspondences:
 - No. 1 – The Board noted that the mosquito spraying schedule is available on the Stark County Health Department's website.
 - No. 8 – The Board thanked the Uniontown Police Department for their response to Ms. Cigolle's home.

DEPARTMENT REPORTS

Police Department

- The Board acknowledged receipt of the June 2014 Uniontown Police Department Statistical report.

Road Department

- The Board announced closing of Rolling Hill Avenue for culvert replacement on Wednesday July 16, 2014 to Friday, July 18, 2014 at noon.

Zoning Department

- The Board acknowledged receipt of the June 2014 Zoning Report.

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

14-233 A resolution was made by Galen Stoll authorizing the Township to renew its participation in the Stark County Natural Gas Procurement for Government Accounts program thru the Stark Council of Governments for a period of three (3) years. The Board further authorizes the Board president to execute the SCOG Natural Gas Program Consent Form. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-234 A resolution was made by Galen Stoll authorizing the Board to execute the following Road Open Permits:

- D-14-27: Dominion EOG - 2323 Burberry Circle (new service line)
- O-14-01: A.J. Diana -13737 Peppertree Ave N (place telephone conduit)
- O-14-08: O.C.I. Construction Inc. -12844 Willaimsburg (new conduit for power)

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-235 A resolution was made by Galen Stoll authorizing the Fiscal Officer to release the Bonds for the following Road Open Permits:

- O-13-04 received of A. J. Diana Sons Inc. for work performed at 3866 Highland Pk
- O-14-05 received of S & ME, Inc. for work performed on Market Avenue (N. of 619)
- O-14-06 received of S & ME, Inc. for work performed on Kaufman Avenue
- O-12-04 received of Spano Brothers for work performed on Mt. Pleasant

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-236 A resolution was made by Galen Stoll authorizing the township to participate in the Ohio Bureau of Workers' Compensation Group-Retrospective Rating Program, sponsored through the Ohio Township Association, for rate year beginning January 1, 2015 and authorize the Board President to execute following necessary documents to complete the enrollment:

- Employer Statement for Group-Retrospective-Rating Program (BWC Form U-153)

The Board further authorizes payment of the \$3,291.00 Frank Gates Service Fee. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-237 A resolution was made by Galen Stoll waiving the fee for a temporary sign permit as requested in the July 2, 2014 letter from Living Faith Worship Center. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-238 Trustee Stoll moved the adoption of the following resolution:

WHEREAS; Lake Township is located within the jurisdiction of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District.

WHEREAS; the District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53 3734.54 and 3734.55

WHEREAS; the District has provided a copy of the Draft Final Solid Waste Management Plan for ratification to each of the legislative authorities of the District.

WHEREAS; Lake Township must decide whether it approves of said Solid Waste Management Plan within ninety days of receipt of the final draft plan.

NOW, Therefore, Be It Resolved by the Trustees of Lake Township:

1. The Township **APPROVES** the District Solid Waste Management Plan
2. If the plan is ratified the parties agree to pass any and all lawful and appropriate resolutions and ordinances, and to do all things necessary and proper to authorize and allow for the lawful implementation of the contingent funding and the supplemental funding portions of the plan when if the contingencies manifest; and
3. The Fiscal Officer is hereby directed to send the District a copy of this resolution to the attention of Mr. David Held, Executive Director, Stark-Tuscarawas-Wayne Joint Solid Waste Management District, 9918 Wilkshire Blvd., Bolivar, OH 44612; and
4. That it is found and determined that all formal actions of the Trustees concerning and relating to the passage of this resolution were adopted in an open meeting of the Trustees and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-239 A resolution was made by Galen Stoll authorizing the Township to execute the "Cleveland Avenue/Lake Center Street Improvement" Agreement with the Stark County Commissioners for the purpose of applying for Ohio Public Works Commission Funds to pay for a portion of the construction of the project with the Township as a joint sponsor. Each party will pay their portion of the improvement project. The County will prepare plans, specifications and will provide the construction supervision for the project. The Board acknowledges that the Township will be responsible for 26% of the funding for Lake Center Street and acknowledge receipt of the July 10, 2014 Engineer's Preliminary Estimate for said project. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-240 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, it appearing to the Board of Lake Township Trustees that the notice heretofore provided for by Resolution No. 14-222 (Cynthia R. Dalton Trustees, 10131 Carlswood Ave. NE Hartville, 44632-9752 Quarter Section 26NE, Lake Township) adopted June 23, 2014, 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 28, 2010.

THEREFORE, BE IT RESOLVED that Nicholas Landscaping whose address is P.O. Box 745 Hartville, OH 44632 be employed by Lake Township Trustees for an amount not to exceed \$250.00 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 Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-241 Trustee 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 4, 2014, 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. The tax levy will first be due in 2015 and collected in 2016 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. The tax levy will first be due in calendar year 2015 and collected in tax year 2016 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 2015, first due in calendar year 2016.

<u>FOR THE TAX LEVY</u>	
<u>AGAINST THE TAX LEVY</u>	

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 John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

14-242 Trustee Stoll moved the adoption of the following resolution:

WHEREAS, upon due investigation and consideration, the board has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for Lake Township Road District, Stark County, Ohio, for the next five (5) years will be insufficient to provide an adequate amount for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township Road District, Stark County, Ohio; and

WHEREAS, by reason thereof, this board has determined that it will be necessary to levy a replacement of an existing tax levy of one and one half (1.50) mills, which is in excess of the limitation, for a period of five (5) years for the for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township Road District, Stark County, Ohio; and

WHEREAS, by reason of the facts above set forth, this board has determined that it should, and hereby does, declare itself to submit to the electors of Lake Township Road District, Stark County, Ohio, at the general election to be held November 4, 2014, the question of levying a replacement of a tax outside the ten (10) mill limitation for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township Road District, Stark County, Ohio, for a period of five (5) years..

NOW, THEREFORE, BE IT RESOLVED that there shall be submitted to the electors of Lake Township Road District, Stark County, Ohio, at the general election on November 4, 2014, the question of the replacement of a tax levy outside the ten (10) mill limitation in

and for Lake Township Road District, Stark County, Ohio, in the amount of one and one half (1.50) mills for the general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges in Lake Township Road District, Stark County, Ohio, and that said replacement tax of one and one-half (1.50) mills shall be levied for a period of five (5) years.

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 (G), 5705.191, 5705.192 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 – (REPLACEMENT TAX)
LAKE TOWNSHIP ROAD DISTRICT**

A majority Affirmative Vote is Necessary for Passage.

A replacement of a tax for the benefit of Lake Township Road District, Stark County, Ohio, for the purpose of general construction, reconstruction, resurfacing, and repair of streets, roads, and bridges at a rate not exceeding one and one-half (1.50) mills for each one dollar of valuation, which amounts to fifteen cents (\$0.15) for each one hundred dollars of valuation, for five (5) years, commencing in 2015, first due in calendar year 2016.

<u>FOR THE TAX LEVY</u>	
<u>AGAINST THE TAX LEVY</u>	

BE IT FURTHER RESOLVED that pursuant to Revised Code Section 5705.03(B) that this Resolution was certified to the Stark County Auditor for the Stark County Auditor to tabulate the monies generated by the current levy, the monies to be generated by the proposed replacement levy, and the monies to be generated by the replacement levy after rescission of the current levy. A copy of the Stark County Auditor's Certification is attached and incorporated by reference.

BE IT FURTHER RESOLVED that the Fiscal Officer and Clerk of this Board be, and he hereby is, directed and authorized to proceed forthwith the certification hereof to the Board of Elections of Stark County, Ohio, pursuant to the provisions of Sections 5705.19 (G), 5705.191, 5705.192, and 5705.25 and other related statutes 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 all 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

MEETING REPORTS/MISCELLANEOUS

- None

FISCAL OFFICER’S REPORT

14-243 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to sign all Purchase Orders and Vouchers. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

- The Board acknowledged the following Transfer within a Fund pursuant to Res. #14-024:

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
7/11/14	\$35,300.00	2141-330-420-0002 R/B – Operating Supplies (Material)	2141-330-360-0000 R/B – Contracted Services

Purpose: For PO for Central Allied for Highland Park Street Catch Basin, Curb and Gutter Project (part of 2014 paving project)

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
7/11/14	\$318.36	1000-110-330-0000 General – Travel & Meeting Expenses	1000-110-230-0000 General – Workers’ Compensation
7/11/14	\$ 46.35	2041-410-599-0000 Cemetery – Other-Other Expenses	2041-410-230-0000 Cemetery – Workers’ Compensation

Purpose: For Frank Gates Group Retro Fee

- 14-244 A resolution was made by Galen Stoll accepting the bid of Superior Paving & Materials, Inc., 5945 Whipple Ave. NW, Canton, OH 44720, for a total project cost of \$1,008,675.95 for the 2014 Paving Project. In addition, the Board authorizes legal counsel to prepare a contract for said project and further authorizes the Board to execute said contract. Seconded by Ellis Erb. Roll call votes were:
- | | |
|-------------|-----|
| Galen Stoll | yes |
| John Arnold | yes |
| Ellis Erb | yes |

PUBLIC SPEAKS

Jeff Grisan, 2807 Carriage Stone St. NW, Uniontown: Mr. Grisan, representing the Lake Soccer Club, addressed the Board regarding the soccer fields at the Lake Township Park. He asked who is responsible for them and what can be done to improve them. He also asked about the status of the Midway Sports Complex. The Board responded that while the fields are on township property, the soccer club and school were given the use of the ground to develop and maintain the soccer fields. Since the township does not have a park and recreation department or funds there is not the funding for development of the complex at this point in time.

- 14-245 A resolution was made by Galen Stoll to convene an executive session at 7:14 p.m. pursuant to ORC 121.22 (G)(1) 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 |
- 14-246 A resolution was made by Galen Stoll to return from executive Session at 8:16 p.m. Seconded by John Arnold. Roll call votes were:
- | | |
|-------------|-----|
| Galen Stoll | yes |
| John Arnold | yes |
| Ellis Erb | yes |

14-247 A resolution was made by Galen Stoll adjourning the meeting at 8:17 p.m. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

Sandy Smith, Acting Clerk

Galen Stoll, President

John Arnold, Vice President

Ellis Erb, Member

