

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:

Robert Moss

Joy Dingman

Galen Stoll called the regular meeting to order.

17-359 A resolution was made by Galen Stoll approving the minutes of September 11, 2017 as submitted. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll yes
John Arnold abstain
Ellis Erb yes

17-360 A resolution was made by Galen Stoll authorizing processing and payment of payroll for September 30, 2017. Seconded John Arnold. Roll call votes were:

Galen Stoll yes
John Arnold yes
Ellis Erb yes

17-361 A resolution was made by Galen Stoll authorizing processing and payment of payroll for October 6, 2017. Seconded Ellis Erb. Roll call votes were:

Galen Stoll yes
John Arnold yes
Ellis Erb yes

17-362 A resolution was made by Galen Stoll approving Financial (Fund Status/Cash Summary by Fund) Report as of September 25, 2017, reports will be attached to the minutes and made a part thereof. Seconded by John Arnold. Roll call votes were:

Galen Stoll yes
John Arnold yes
Ellis Erb yes

17-363 A resolution was made by Galen Stoll authorizing all EXPENDITURES as of September 25, 2017, in the amount of \$117,907.68, report will be attached to the minutes and made a part thereof. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll yes
John Arnold yes
Ellis Erb yes

CORRESPONDENCE

1. OhioEPA – Citizen Advisory *Ohio EPA Issues Water Quality Certification for NEXUS Pipeline*
2. CareWorksComp – September Monthly Workers’ Compensation updates
3. Spectrum – notice about 100% Digital TV
4. Ohio Township Association – legislative alert and information
5. The Court of Common Pleas Stark County, Ohio – information regarding the *Stop Heroin from Killing* Committee
6. Stark County Regional Planning Commission – copies of correspondence regarding Evermore Community Church-Pavilion; Synergy Solutions
7. State Employment Relations Board – notice of 2017 SERB Academy
8. NEFCO – September 20, 2017 Agenda of the *Regular Meeting of the General Policy Board*
9. Ohio Department of Job and Family Services – reminder of 3rd Quarter, 2017 Ohio Unemployment Compensation Quarterly Tax Return
10. Stark County Recorder – September 2017 issue of *The Recorder* newsletter
11. Heidi Mileti – inquiring about paving of Scotney Avenue
12. Kathy Wagner – inquiring about land behind the township garage
13. Stark County Transportation Improvement District – September 11, 2017 Agenda and July 17, 2017 Minutes
14. OhioEPA – Storm Water MS4 Annual Discharge Fee preliminary notice
15. Stark County Health Department – mosquito spray schedule for week of September 25, 2017

DEPARTMENT REPORTS

Police Department

- None

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

17- 364 A resolution was made by Galen Stoll approving the transfer of Parcel Nos. 2000822 and 10000263 from Walter and Coletta Fry to Andy Alberti, pursuant to the information received from the Lake Township Zoning Administrator and in accordance with the provisions of the Stark County Regional Planning Commission Side Lot Program. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-365 A resolution was made by Galen Stoll authorizing Sophia Kapadia to attend a Bureau of Workers' Compensation Safety Course on September 26, 2017 at the North Canton BWC location. The Board acknowledges that there is no fee for this course and that it is pursuant to a requirement of the Bureau of Workers' Compensation Group Retrospective-Rating Program. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-366 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to execute the following Road Open Permits:

- D-17-25: Dominion East Ohio Gas – 13191 Market Avenue N. (new service line)
- D-17-26: Dominion East Ohio Gas – 2013 Nimishillen Church (new service line)

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-367 A resolution was made by Galen Stoll authorize the Board to execute the following Cemetery Deed:

- Uniontown Greenlawn Cemetery -- Section South, Lot No. 447, Grave 2

Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-368 A resolution was made by Galen Stoll accepting the September 6, 2017 Estimate No. 2764 from Pauli Electric for the purchase and installation of a Kohler 20KW Generator for the Uniontown Police Department for an amount not to exceed \$8,453.00. The Board acknowledges that this price includes generator, labor and material and does not include gas piping. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-369 A resolution was made by Galen Stoll accepting the August 22, 2017 Estimate No. 1140 from Petrey Lawn and Landscape LLC in the amount of \$1,350.00 for the clean-up, trimming branches, disposal of brush, etc. at Greenlawn Cemetery. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-370 A resolution was made by Galen Stoll **Amending Resolution No. 15-060 adopted January 26, 2015** TO CONTRACT FOR SUPPLEMENTAL, EMERGENCY SNOW AND ICE CONTROL FOR LAKE TOWNSHIP, STARK COUNTY, OHIO, to read as follows:

WHEREAS, certain sections of the Ohio Revised Code and numerous Ohio court decisions provide that a township board of trustees must maintain its roads in a safe manner for the travel of the motoring public and to provide for the removal, repair, or control of unnatural accumulations of snow and ice or other hazards from within the traveled portion of the township roads, and

WHEREAS, the Lake Township Road Department does an excellent job of providing road maintenance and repairs; including removal, repair, or control of unnatural accumulations of snow, ice and other hazards from within the traveled portion of the township roads, and

WHEREAS, the Lake Township Road Department, on certain occasions and under limited circumstances, will encounter a winter snow and ice storm that may overextend its available resources and require employees to work overly long hours and extended periods of time that places the safety of its departmental employees in jeopardy, and

WHEREAS, the Lake Township Board of Trustees does hereby determine, that on these certain occasions and under these limited circumstances, when the Lake Township Road Department employees will encounter a winter snow and ice storm that threatens to overextend its available resources and require its employees to work overly long hours that may place the safety of its departmental employees in jeopardy to seek

additional qualified contract-labor operators, and or owner-operators, to supplement the snow and ice control efforts by the Lake Township Road Department, and to remove, and control unnatural accumulations of snow and ice or other hazards from within the traveled portion of the township roads and under the guidance and direction of the Lake Township Road Superintendent, and

WHEREAS, the Lake Township Board of Trustees, does hereby declare a necessity to supplement and to increase the pool of qualified contract-labor operators, and or owner-operators, in addition to the current contract with Bontrager Excavating; and, to also be for the protection of life, health and safety of the residents of Lake Township, Stark County, and motorists from the general public that use Lake Township roads and mandates that emergency procedures shall be implemented to determine when and under what circumstances that the contract with Bontrager Excavating and contracts with any other qualified contract-labor operators, and or owner-operators, shall be implemented; and

NOW THEREFORE BE IT RESOLVED, to authorize the Lake Township Road Superintendent and the Lake Township Fiscal Officer to seek and to contract with qualified contract-labor operators, and/or owner-operators, to supplement the snow and ice control efforts by the Lake Township Road Department, and to remove, and control unnatural accumulations of snow and ice or other hazards from within the traveled portion of the township roads and under the guidance and direction of the Lake Township Road Superintendent. A qualified independent contractor-labor operator and/or qualified owner-operator shall be at an hourly rate of **forty dollars (\$40.00 / qualified CDL driver rate)** or an hourly rate of fifteen dollars (\$15.00 / qualified non-CDL driver rate) using township vehicles or equipment or at an hourly equipment/operator rate while using contractor's own equipment as proposed in writing by each independent contractor. Each contracted independent contractor shall be responsible for fully covering their workers under their own Workers' Compensation Plan. Each qualified independent contractor labor-operator and/or qualified owner-operator, shall not receive any other compensation or benefits, and shall not exceed 1,500 hours during any twelve (12) month period. The combined costs of all contracted-labor operators and/or owner-operators shall not exceed **fifty-thousand (\$50,000.00) dollars per any twelve (12) month period and in accordance with ORC 5549.21**, and

BE IT FURTHER RESOLVED, that the Lake Township Board of Trustees, does hereby declare the necessity of this supplemental contract to be for the protection of the Lake Township Road Department employees and to protect the life, health and safety of the residents of Lake Township, Stark County, and motorists from the general public that use Lake Township roads, and

BE IT FURTHER RESOLVED that the Lake Township Road Department Superintendent shall develop and implement guidelines and emergency procedures to determine when and under what circumstances that the independent-contractor labor operator or an owner-operator shall be activated.

Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-371 A resolution was made by Galen Stoll authorizing the Board to extend the existing Lake Township 2017 Yard Waste Drop-Off Cleanup/Host Community Grant Agreement with the Stark-Tuscarawas-Wayne Joint Solid Waste Management District for one year, effective January 1, 2018 through December 31, 2018. The Board acknowledges that at this time, the funding rate(s) will remain the same. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-372 A resolution was made by Galen Stoll authorizing the Board to accept the September 5, 2017 grading and drainage plan proposal from GBC Design, Inc. for engineering and planning services for the Midway Street Property for an amount not to exceed \$19,400.00. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

MEETING REPORTS/MISCELLANEOUS

- Regional Planning will be meeting next week
- John Arnold attended American Road Machines presentation at the Stark County Township Association meeting.
- John Arnold also met with the third graders at Uniontown Elementary School as he does every year to explain how a township works. He also invited them down to visit the road department.

FISCAL OFFICER'S REPORT

17-373 A resolution was made by Galen Stoll authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers, and Reconciliations. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

PUBLIC SPEAKS

- None

17-374 A resolution was made by Galen Stoll to convene an executive session at 6:45 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 John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-375 A resolution was made by Galen Stoll to return from executive session at 6:54 p.m. Seconded by Ellis Erb. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-376 A resolution was made by Galen Stoll based on the recommendation of the Uniontown Police Chief the Lake Township Board of Trustees hereby promotes Michael Batchik to the classification as Lieutenant. Said promotion shall be contingent upon the acceptance of a Lieutenant of the Fraternal Order of Police Ohio Labor Council Collective Bargaining agreement as indicated by a properly executed memorandum of understanding. Said promotion shall be effective October 1, 2017 and there will be no increase in compensation under the current bargaining agreement for the promotion. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
John Arnold	yes
Ellis Erb	yes

17-377 A resolution was made by Galen Stoll to adjourn the meeting at 6:56 p.m. Seconded by John Arnold. Roll call votes were:

Galen Stoll	yes
Ellis Erb	yes

Robert Moss, Fiscal Officer

Galen Stoll, President

John Arnold, Vice President

Ellis Erb, Member

