

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:

Jeremy Yoder, President
Steve Miller, Vice President
John Arnold, Member

Also Present:

Robert Moss	Joy Dingman
Edwin Burt	Pam Bixler
Dominic Peluso	Sam Miller
Becky Oberg	Gloria Morgan
Pat Faulhaber	

Jeremy Yoder called the regular meeting to order.

19-403 A resolution was made by Jeremy Yoder to approve the minutes of November 25, 2019 meeting as submitted. Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

19-404 A resolution was made by Jeremy Yoder authorizing processing and payment of payroll for December 13, 2019. Seconded John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

19-405 A resolution was made by Jeremy Yoder approving Financial (Fund/Appropriation/ Revenue Status and Cash Summary by Fund) Reports as of December 9, 2019 reports will be attached to the minutes and made a part thereof. Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

19-406 A resolution was made by Jeremy Yoder authorizing all EXPENDITURES as of December 9, 2019 in the amount of \$950,812.45, reports will be attached to the minutes and made a part thereof. Seconded John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

- The Board noted that this included payments to the Fire Departments.

CORRESPONDENCE

1. Alex Padron/American Transparency – follow-up on previous records request for salary information
2. Ohio Department of Administrative Services – cooperative purchasing contract amendments
3. Joseph Packwood c/o b2g Data Advisory Group – public record request for investment management of public funds information
4. Ohio Township Association – legislative updates and information; December 2019 *Grassroots Clippings* Newsletter
5. Stark County Recorder – annual notice of ORC requirement to file Zoning Resolutions and Amendments with the County Recorder
6. Dominion Energy – notice of filing new pipeline infrastructure replacement program with the Public Utilities Commission of Ohio
7. Ford Motor Company – recall reminder for 2016 Police Interceptor Utility Vehicle
8. The National Lime & Stone Company – material price list effective January 1, 2020
9. Stark Council of Governments – December 3, 2019 meeting packet and General Membership Meeting Minutes
10. Stark Soil & Water Conservation District – copy of correspondence sent to Becky Oberg at 13251 Sugarbush Avenue regarding drainage matter
11. Stark County Commissioners – copy of Resolution adopted approving an agreement between the Board of Trustees of Lake Township and the Commissioners to signalize the intersection of Cleveland Avenue and Wright Road
12. William Scherer – concerns regarding decision to close yard waste
13. Lonnie & Pauline Nicol – comments/questions regarding closing of yard waste
14. Ohio Department of Commerce/Department of Liquor Control – notice of December 17th hearing regarding a new permit application for VFW Post 9904 Greentown
15. Stark County Regional Planning Commission – Minutes from the November 5th meeting and Agenda for December 3rd meeting
16. Stark County Township Association – November 2019 meeting follow-up including 2019-003 Final Ohio Sunshine Laws and New Star Rating System Bulletin; Capital Project Form; Guidance Memo
17. Chevrolet – notice of possible increased brake pedal effort, hard brake pedal and/or potentially increased stopping distance with some 2017 Chevrolet Tahoe's
18. Edwin Burt c/o Hartville Country Commons – questions/concerns about grass area that was created when Kaufman Avenue moved to east to accommodate roundabout
19. Independent Energy Consultants – information regarding supplier name change

DEPARTMENT REPORTS

Police Department

- None

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

19-407 A resolution was made by Jeremy Yoder authorizing the Board and Fiscal Officer to execute the following:

- D-19-42: Dominion Energy – 1580 Canyon Street (new short service line)
- D-19-43: Dominion Energy – 12542 Class Avenue (new long service line)
- D-19-44: Dominion Energy – 11205 Wright Road (new long service line)

Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

19-408 A resolution was made by Jeremy Yoder in conjunction with the request of the Stark County Engineers Department, reducing the limit set for vehicles and loads on the County and Township Road System to 25% of the legal limits, a schedule listing the following Lake Township roadways will be filed with the Stark County Engineers Office for submission to the Board of Stark County Commissioners, and those roadways will be posted with the appropriate signage, as required by Section 5577.07 of the Ohio Revised Code:

William Penn Ave. NW	Nimishillen Church St. NW
Lake O’Pines St. NW	Mt. Pleasant St. NW
Brumbaugh St. NW	Rolling Hills Avenue NW
Stonebridge Ave. NW	Midway Street NW
Wright Road NW	Hoover Avenue NW
Mogadore Ave. NW	Boston Avenue NW
Market Avenue North	Andrews Street NW
Lake Street NW	Wolf Avenue NW
Gans Avenue NW	Fromes Avenue NW
Tully Avenue	

Upon approval from the board of commissioners this weight reduction will be effective January 1, 2020, through May 1, 2020. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

19-409 A resolution was made by Jeremy Yoder authorizing an increase in certain zoning fees as submitted by the Zoning Administrator. Said increase shall be effective January 1, 2020. A copy of the fees, as proposed, will be attached to the Minutes and made a part thereof. Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

19-410 A resolution was made by Jeremy Yoder approving an expenditure, for the Police Department, in an amount not to exceed \$1,700.00 for the purchase of computer components for a new laptop for in-car dash videos and body cam videos. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

- The Board discussed the salary continuation proposal for Officer Brian Duman. Trustee Arnold explained that the injured employee will get paid either way, it is just a matter of the form of compensation he will receive. Either the township continues to pay him which keeps our workers compensation premiums and group rating down or the employee applies for workers compensation possibly causing the premiums and rating to go up. Trustee Arnold commented that it is not financially advantageous either way.

Trustee Yoder stated that he is leaning towards having the employee apply for workers compensation. Trustee Miller said that he will vote to have the employee apply for workers compensation. Trustee Arnold said he would oppose that and would like to continue compensating the employee until his next doctor’s appointment, which is early

next year. Trustee Arnold stated that if the claim goes to workers compensation it stays on the township's claim file for 4 years. Trustee Yoder explained that it has been a number of months that we have been doing the salary continuation, he knows there is some benefit to continuing this, but he does not think it is helping the situation.

19-411 Trustee Yoder moved the following resolution:

WHEREAS, the Board of Lake Township Trustees has entered into Salary Continuation Agreements with Brian Duman, the first commencing 07/31/2019; and

WHEREAS, in accordance with ARTICLE 33/*Injury on Duty* of the collective bargaining agreement between the Uniontown Police Department/Lake Township Board of Trustees and The Fraternal Order of Police, Ohio Labor Council, Inc., the employer may evaluate the circumstances of the case and may, at its sole discretion extend a salary continuation beyond the initial 90-day period or it may choose not to extend the Agreement.

NOW, THEREFORE BE IT RESOLVED, pursuant to the provisions as contained in ARTICLE 33/*Injury on Duty* of the collective bargaining agreement between the Uniontown Police Department/Lake Township Board of Trustees and The Fraternal Order of Police, Ohio Labor Council, Inc., the Board of Lake Township Trustees does not wish to continue/extend the Salary Continuation Agreement with Brian Duman beyond the current Agreement which continues to 12/12/2019.

Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	no

MEETING REPORTS/MISCELLANEOUS

- Trustee Yoder attended Christmas in the Village in Hartville. Ohio Magazine was there to recognize Hartville as one of the best hometowns in Ohio.
- Trustee Miller attended a training seminar about drainage put on by Stark Soil and Water. One of the items that was discussed was the drainage situation on the Oberg property. The Stark County Commissioner's off-road drainage program has been discontinued, Stark Soil and Water has taken that program over and unfortunately at this time they have no answers. There were not commissioners or attorneys representing them or the county in attendance at the meeting. Trustee Miller stated at this time the only thing he knows to do is to press at the state level to get the Ohio Revised Code (ORC) changed. He has already put in calls to State Senator Kirk Schuring and State Representative Reggie Stoltzfus to talk about this issue. In his opinion it is unfair, he

doesn't think it is being handled correctly but unless we get a change at the state level and get the ORC changed, he does not see it going anywhere quickly.

Trustee Arnold stated that he is being told Stark County is following suit with all the other counties in the state of Ohio, they don't do this. There are a few counties that have a tax collective for drainage, that is the exception, those counties do take care of the drainage. We do not have that in Stark County. Stark County was the only county that had a drainage program until this year. Stark County would partner with the township to work on these projects since they had the authority and protection to work outside the road right of way. Hundreds if not thousands of township residents benefited from this program before it was discontinued. The Township is legally not allowed to work on private property.

Trustee Miller said a tax collective was discussed at the meeting, outside of that there weren't any other ideas on how to address this situation. He is very frustrated with the lack of answers, but he will keep pushing.

Mr. Oberg asked out long does it take to make changes to the ORC? The Trustees replied it is a lengthy process. Trustee Miller suggested that anybody who has a drainage issue should be blowing up the phones of the County Commissioners and also calling your State Representatives.

Mr. and Mrs. Oberg stated how disappointed they are with the situation because it has affected their lawn, the foundation of their home and now they responsible for those repairs as well as the drain. If they pay to have a new storm drain installed and it breaks, they would have to pay to replace it again. If they should have to sell their house they would be unable to do so. Trustee Arnold asked if they talked to a contractor about a remedy and what they can do. They had a Civil Engineer come out, he told them what needed to be done. Mr. Oberg asked, easement or not, they can tear up the pipe and replace it? Trustee Miller told him he was correct. Mrs. Oberg wanted to know what standards had to be adhered to and who they should talk to? Trustee Miller said this was the argument that was made by multiple Road Superintendents, what if the homeowners don't do it right and it effects other homeowners up the line, who is liable for that. Trustee Arnold said if homeowners negatively impact people, they could be the subject of civil action. They should start with contacting Stark Soil and Water and Stark County Engineer's office.

FISCAL OFFICER'S REPORT

19-412 A resolution was made by Jeremy Yoder authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers, and Reconciliations. Seconded by John Arnold.
Roll call votes were:

Jeremy Yoder yes
Steve Miller yes
John Arnold yes

19-413 A resolution was a made by Jeremy Yoder authorizing the Fiscal Officer to submit a request to the Stark County Auditor for an Additional Amended Certificate as follows:

<u>AMOUNT</u>	<u>FUND NAME</u>	<u>SOURCE</u>
\$19,014.46	#2281 EMS Fund	Property Taxes

Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder yes
Steve Miller yes
John Arnold yes

PUBLIC SPEAKS

Edwin Burt, 1580 Thames Trail NW, Uniontown; Mr. Burt addressed the Board on behalf of his Condo Association of which he is President regarding the roundabout at St. Rt. 619 and Kaufman. He invited someone from ODOT to attend the meeting, but no one came. When the roundabout was put in Kaufman was moved east creating greenspace on the west side of the road. He contacted ODOT regarding the maintenance of this greenspace and was told it is the responsibility of the township. Trustee Miller told Mr. Burt he had been misinformed, the property in question is owned by ODOT and they are responsible to mow it at least twice a year. Right of way mowing along roadway is for safety purposes only and generally only about 12' from edge of road. The Board advised him to contact ODOT again and if he they still did not claim ownership, Trustee Miller said he would be happy to accompany him.

Nate & Nick Teeple, 1515 Limonis St, Uniontown; Nate and Nick are members of Boy Scout Troop 135 and attended the meeting as a requirement of their Citizenship in the Community Merit Badge.

19-414 A resolution was made by Jeremy Yoder to adjourn the meeting at 7:05 p.m. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

Robert Moss, Fiscal Officer

Jeremy Yoder, President

Steve Miller, Vice President

John Arnold, Member

