

The Board of Lake Township Trustees met in regular session at 5:00 p.m. at 12360 Market Avenue North, Hartville, Ohio. The meeting was open to the public and streamed live via Facebook with the following members present:

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

Also Present:

Matt Erb
Seth Marana
Derek Shaffer

Jerney Yoder called the regular meeting to order.

22-269 A resolution was made by Steve Miller approving the minutes of the July 25, 2022 Regular Meeting as submitted. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder abstain
Steve Miller yes
John Arnold yes

22-270 A resolution was made by Jeremy Yoder approving the minutes of the August 8, 2022 Regular Meeting as submitted. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder yes
Steve Miller abstain
John Arnold yes

22-271 A resolution was made by Jeremy Yoder authorizing payment and processing of payroll for August 31, 2022. Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder yes
Steve Miller yes
John Arnold yes

22-272 A resolution was made by Jeremy Yoder authorizing payment and processing of payroll for September 2, 2022. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder yes
Steve Miller yes
John Arnold yes

22-273 A resolution was made by Jeremy Yoder approving Financial (Fund/Appropriation/Revenue Status and Cash Summary by Fund) Reports as of August 22, 2022 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

22-274 A resolution was made by Jeremy Yoder authorizing all EXPENDITURES as of August 22, 2022 in the amount of \$112,360.35, reports will be attached to the minutes and made a part thereof. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

CORRESPONDENCE

1. Concentra – updated program contact information
2. FEMA – Public Assistance Notification to simplify project processing by increasing the Simplified Procedures Threshold to \$1 million
3. Stark County Regional Planning Commission – copy of correspondence regarding Congress Lake Club Home Sites No. 4, Love Our Community Office paving and parking, The Farms at Enclave No. 1; information about the FY 2023-2025 CDBG Application Workshop on August 26th; August 9, 2022 Meeting Packet
4. Stark County Transportation Improvement District – August 22nd 2022 meeting notice and packet
5. UniFirst – notice of upcoming price increase effective August 23, 2022
6. Ohio Department of Administrative Services – weekly report of contracts and amendments
7. Mike and Beth Steiner – thank you to UPD officers Marinchek, Bell and Beverage for their help in resolving criminal mischief that had been occurring at their home over the last several months
8. Jill and Tony Vargas – concerns about people shooting firearms in the township
9. NEFCO Planning – Tentative Agenda for the “Regular Meeting of the General Policy Board” on August 17th
10. Ernie Aranyosi – concerns about the township’s electric aggregation program with Energy Harbor
11. Capital One Trade Credit – notice of upcoming merger into Capital One, N.A.
12. Mike Parry – question about blue mailbox reflective signs
13. Ohio Department of Job and Family Services – notice that quarterly statements will be issued in August instead of July
14. Ohio Township Association – August training information
15. Stark County District 19 Natural Resource Assistance Council – notice that they are now accepting applications for the Clean Ohio Conservation Fund
16. Lincoln Financial Group – privacy notice
17. Doreen Compher – concerns about neighbors shooting firearms
18. Carole Gifford – concerns about neighbors shooting firearms

- In reference to the following correspondence:

No. 8, 17, & 18 - Trustee Miller stated that his understanding of the issue after speaking with the township’s legal counsel. Under Ohio Law townships do not have broad local police powers like municipalities and thus have limited authority to regulate

and prohibit many activities. As stated under Ohio law townships are creatures of statute and have no more authority than conferred upon them by that statute or what is clearly implied therefrom. Cities on the other hand have local home rule powers to enact ordinances and other regulations pursuant to the Ohio constitution, general townships do not have constitutional home rule power notably even those instances where a township has adopted to what is referred to as a limited home rule form of government which we are not but even if did that township is still without the authority to regulate firearms. Revised Code Section 504.04b states that a limited home rule township cannot establish regulations affecting hunting, trapping, fishing, or the possession, use, or sale of firearms. In the absence of that local authorities regulate a subject matter or activity state law controls that activity. Revised Code Sections 2923.161 and 2923.162 which generally prohibit the discharge of firearms at or into houses, schools or within a thousand feet of schools, cemeteries, public parks or across a roadway. Section 2923.162 expressly states the statutes do not prohibit a person from discharging a firearm on his or her own land. Thus, these provisions pertain to a narrow set of circumstances and do not appear to generally be violated by the discharge of firearms in residential areas. Otherwise, general rules relating to the use of real property come into play and activities may be regulated when they amount to a nuisance under the applicable standards. We do not have any authority to regulate the discharge of firearms on their own property. Any further inquires into this matter should be directed to your state representative to make it an Ohio issue.

- Trustee Yoder noted that legal counsel also advised that the matter can be handled through the civil court system. The area in question does not have an HOA but it would be a matter an HOA could address.

DEPARTMENT REPORTS

Police Department

- None

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

22-275 A resolution was made by Jeremy Yoder authorizing the Board and Fiscal Officer to execute the following Road Open Permit:

- D-22-38: Dominion Energy Ohio – 13160 Mogadore (long side service line)

Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

22-276 A resolution was made by Jeremy Yoder authorizing the Board to execute the following Cemetery Deeds:

- Mt. Peace Cemetery – Section 3, Lot 5, Grave 2
- Woods Cemetery – Section South, Lot 487 Graves 1 & 2
- Mt. Peace Cemetery – Section 3, Lot 71, Graves 2 & 3

Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

22-277 A resolution was made by Jeremy Yoder in conformance with the anticipated decision of the Stark County Commissioners to designate a uniform, county-wide trick-or-treat observance, declaring door-to-door trick-or-treat activities in Lake Township to be held between 3:00 p.m. and 5:00 p.m. as follows:

- On the afternoon of the same day if October 31 is on a Saturday or Sunday. On the afternoon of the preceding Sunday if October 31 falls on a weekday (Monday-Friday)

Halloween and Trick-or-Treat observance will therefore be held on Sunday October 30, 2022 from 3:00 p.m. to 5:00 p.m. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

22-278 A resolution was made by Jeremy Yoder authorizing the Fiscal Officer to release bonds for Road Open Permit Nos. O-22-03 for work performed at 2764 Chalford Circle and O-22-04 for work performed at 3815 Mt. Pleasant Street. Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

22-279 A resolution was made by Jeremy Yoder accepting the resignation of auxiliary officer Shawn Baker from the Uniontown Police Department whose last day is August 20, 2022. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

22-280 Trustee Yoder motioned the following:

WHEREAS, Cody Dumont has been working for the Uniontown Police Department/Lake Township Trustees as a reserve officer since May of 2022, and

WHEREAS, the Lake Township Board of Trustees desire to change his employment status with the township from reserve officer to full-time police officer/patrolman with the Uniontown Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Lake Township, Stark County, Ohio, as of August 23, 2022, Mr. Dumont's employment status will change from reserve officer to full-time police officer/patrolman with the Uniontown Police Department with an hourly rate change to \$22.66 which is in accordance with the Probationary Patrolman rate under the current Fraternal Order of Police Contract. Additionally, Mr. Dumont's insurance (including dental, medical/health, vision, and life) will commence September 1, 2022.

FURTHERMORE, all other provisions of the Lake Township Employee Handbook and/or the Fraternal Order of Police Contract shall apply to Mr. Dumont as though he were a newly hired full-time Lake Township/Uniontown Police Department employee. This shall include a 1-year probation period beginning August 23, 2022.

Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

22-281 A resolution was made by Jeremy authorizing an expenditure in the amount of \$1,445.11 for the purchase of a HON 5-drawer lateral file cabinet for use at the administrative offices. Seconded by John Arnold. Roll call votes were:

Jeremy Yoder yes
Steve Miller yes
John Arnold yes

22-282 A resolution was made by Jeremy Yoder authorizing a pay increase for Road Department auxiliary employee, Sam Laspisa, to \$16.00/hour commencing with the pay period that began August 20, 2022. Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder yes
Steve Miller yes
John Arnold yes

22-283 A resolution was made by Jeremy Yoder accepting the August 22, 2022 quote, pursuant to Resolution No. 22-258, of Kimble Companies for solid waste and tire disposal for the 2022 Fall Cleanup as follows:

Setup and Delivery of Eight Containers: \$400.00 (one-time fee)
Solid Waste: \$245.00/pull + \$40.00/ton (disposal)
Tires: \$375.00/pull

In addition, the Board hereby acknowledges that Harry's Scrap will provide a roll off dumpster at no charge to the township for appliances and scrap metal. Seconded by Steve Miller. Roll call votes were:

Jeremy Yoder yes
Steve Miller yes
John Arnold yes

- The Board noted that the scrap metal dumpster is always available Monday through Friday 8:00 a.m. to 2:30 p.m. at the Lake Township Road Garage. It is for appliances and scrap metal only.

22-284 Trustee Yoder motioned the following:

WHEREAS, it appearing to the Board of Lake Township Trustees that the notice heretofore provided for by Resolution No. 22-262 (Parcel #2200948 13000 Kreighbaum Rd NW Uniontown OH 44685) adopted August 8th, 2022, 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 August 21st, 2022.

THEREFORE, BE IT RESOLVED that Nichols 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 John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

22-285 Trustee Miller motioned the following:

WHEREAS, it appearing to the Board of Lake Township Trustees that the notice heretofore provided for by Resolution No. **22-250 (Parcel #2202096 11825 Basswood Ave. NW, Uniontown OH 44685)** adopted **July 25th, 2022**, 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 **August 21st, 2022**.

THEREFORE, BE IT RESOLVED that Nichols Landscaping whose address is P.O. Box 745, Hartville OH 44632 be employed by Lake Township Trustees for an amount not to exceed \$350.00 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 John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

MEETING REPORTS/MISCELLANEOUS

- Trustee Yoder noted that he missed the Lake Chamber of Commerce meeting regarding the signage from the grant they received. He will follow up with them.
- Trustee Miller received the architectural work for restrooms at the township park today. He will review them and update us; his goal is to break ground this fall.

- Trustee Arnold stated that the greenhouse is still scheduled to be demolished. We are the first allocated money to be used.

FISCAL OFFICER’S REPORT

22-286 A resolution was made by Jeremy Yoder authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers, and Reconciliations Seconded by Steve Miller.
Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

PUBLIC SPEAKS

- None
- There will be no public speaks through the Facebook Live streaming; however, the Trustees still welcome your “public speaks” comments to be emailed to info@laketwpstarkco.com

22-287 A resolution was made by Jeremy Yoder to adjourn the meeting at 5:19 p.m.
Seconded by John Arnold. Roll call votes were:

Jeremy Yoder	yes
Steve Miller	yes
John Arnold	yes

Matt Erb, Fiscal Officer

Jeremy Yoder, President

Steve Miller, Vice President

John Arnold, Member

