

RES#12-199
Nimishillen Township Board of Trustees
Township Hall: 4422 Maplegrove NE, Louisville, OH 44641

August 23, 2012

On Thursday, August 23, 2012, the Board of Trustees of Nimishillen Township met in regular session at 7:00 PM at the Nimishillen Township Hall located at 4422 Maplegrove NE with the following members present: Trustee President Lisa R. Shafer, Trustee Vice President Lou J. Johnson and Fiscal Officer Brian Kandel. Trustee Michael L. Lynch was absent.

NOTE: All reports are available at the township office located at 4915 N. Nickelplate at a cost of 10¢ per page. Copies of meeting CD's are available for \$1.00 per CD.

Trustee Shafer called the meeting to order at 7:00 PM and led the staff and audience in the Pledge of Allegiance.

MOMENT OF SILENCE: Trustee Shafer

FIRE DEPARTMENT: (Chief Richard Peterson)

Resolution – Approve July 2012 Fire Report: Chief Peterson reported there was a total of 94 incidents for July 2012. TRUSTEE JOHNSON MOTIONED TO APPROVE THE JULY 2012 FIRE REPORT AS PRESENTED SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED.**

RES#12-188

Roll call voting: Mr. Johnson – YES
 Mrs. Shafer – YES

Ems Grant: Chief Peterson reported they received the EMS Grant from the Ohio Dept. of Public Safety in the amount of \$3,000 which will be used for training & equipment.

ROAD DEPARTMENT: (Jack Magee, Superintendent)

Update on chip and seal and paving program: Superintendent Magee reported 5 of the 7.5 miles of chip and seal have been done and also Part A of the asphalt paving program.

Resolution – Approve August 23, 2012 Road Report: TRUSTEE JOHNSON MOTIONED TO APPROVE THE AUGUST 23, 2012 ROAD REPORT AS PRESENTED SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#12-189**

Roll call voting: Mr. Johnson - YES
 Mrs. Shafer - YES

ZONING DEPARTMENT: (Inspector Dale Riggerbach)

Resolution – Approve August 23, 2012 Zoning Report: TRUSTEE JOHNSON MOTIONED TO APPROVE THE AUGUST 23, 2012 ZONING REPORT AS PRESENTED SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED. RES#12-190**

Roll call voting: Mr. Johnson - YES
 Mrs. Shafer - YES

Update on the Miller farm (Columbus Road) and the ‘common road’ (south of residents’ properties on Brookside): Trustee Shafer asked Dale to give an update on the Miller farm

on Columbus Road and the problem regarding the 'common road' which is south of residents' properties on Brookside.

- Miller Farm: Trustee Shafer said she received several complaints regarding the Miller farm. Dale talked to Kevin Miller (son) a while back and will be calling him again to try to work something out with him to move forward and clean up the property. Shafer asked Dale to give Stark County Prosecutor, Mike Bickis, a call tomorrow (Friday Aug. 24th) and let him know where the clean-up of the property stands. Shafer would like Dale to find out if Attorney Bickis would be able to attend the next meeting (Sept. 13th) to go over the Miller farm with them as well as a couple other issues.
- 'Common Road': Inspector Rigenbach reported he talked to Dan Houck with SCE and was referred to James Schell at the Auditor's office. Mr. Schell told Dale to call Julie Barbari at SS&W and she would know the exact rules regarding this problem. Dale said he also talked to Steve Gronow at SCE. The 'common road' has no name and dates back to 1898. There's no clear ownership and it does not belong to the township either. There's no record of anyone claiming title to this property and only the courts can determine ownership; generally this is done through a Quiet Title. Dale said if this continues it will become a civil matter between the neighbors. Trustees Shafer and Johnson will check into this and Shafer asked Dale to contact Mike Bickis about this as well.

FISCAL OFFICER: (Brian Kandel)

Mr. Kandel didn't have anything on tonight's agenda.

CITIZENS:

David Pumneo of 7476 Brookside and James Renie of 7425 Brookside stepped to the podium and spoke about problems residents have been having with Sandy Humphrey (7460 Brookside) thinking she can do as she pleases with what's referred to as the 'common road' that borders the south side of Brookside and affects those residents who live on Brookside. Sandy Humphrey thinks she owns this 'common road' due to *squatters rights* and can do whatever she wants such as widening the road, piling debris on residents' properties and running her small home tractor equipped with digging attachments on their property putting ruts in their property and making a mess. She told them she applied for ownership. Mr. Pumneo said they have called the Sheriff and have a report. (See update above 'Common Road' under Zoning Department)

Dumping tires: Trustee Shafer reported numerous tires are being dumped throughout the entire area – not just one or two but 10 to 15 at a time. If residents see anyone dumping tires or any other debris, please call the Sheriff. She also asked the press to mention it in their write up for the paper.

Unplated cars and trucks: Dale reported anyone who has unplated cars or trucks, please plate them with current plates or remove them. There are numerous violations throughout the township and letters will be sent. He asked the press to please put this in their write-up as well.

TRUSTEES:

Resolution – Approve August 9, 2012 Minutes: TRUSTEE JOHNSON MOTIONED TO APPROVE THE AUGUST 9, 2012 MINUTES AS WRITTEN SECONDED BY TRUSTEE SHAFER.

MOTION CARRIED. RES#12-191

Roll call voting: Mr. Johnson - YES
Mrs. Shafer - YES

Resolution – Approve purchase orders, financial report and pay bills: TRUSTEE JOHNSON MOTIONED TO APPROVE ALL PURCHASE ORDERS, FINANCIAL REPORT AND PAY BILLS IN THE AMOUNT OF \$37,314.16 SECONDED BY TRUSTEE SHAFER. **MOTION CARRIED.**

RES#12-192

Roll call voting: Mr. Johnson - YES
Mrs. Shafer - YES

Executive Session – Road Department Union: With Trustee Lynch’s absence, Trustees Shafer and Johnson agreed to table the scheduled executive session to the next meeting on September 13th.

Resolution – Sign checks and adjourn: TRUSTEE SHAFER MOTIONED TO SIGN CHECKS AND ADJOURN AT 7:30 P.M. SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED.**

RES#12-193

Roll call voting: Mrs. Shafer – YES
Mr. Johnson - YES

ATTEST: Brian Kandel
Fiscal Officer

Lisa R. Shafer, President

Lou J. Johnson, Vice President

ABSENT
Michael L. Lynch
Nimishillen Township Board of Trustees