

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

July 12, 2012

On Thursday, July 12, 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, Trustee Michael L. Lynch and Fiscal Officer Brian Kandel.

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.

INVOCATION: Trustee Lynch gave the invocation.

FIRE DEPARTMENT: (Chief Richard Peterson)

Structural Fire at 6311 Louisville St.: Chief Peterson reported on Monday, July 9, 2012, there was a structural fire at 6311 Louisville St. The house & garage have been vacant for some time; both were declared a total loss. Chief Peterson checked with Stark County Prosecutor, Mike Bickis, for the proper procedure for removal of a fire damaged structure. R.C. 505.86 allows the trustees to declare the structure to be a nuisance upon notification from either the building department or the fire department that the structure has been "declared insecure, unsafe, or structurally defective." The Chief then determined that an emergency exists and the buildings should be torn down. Both the house and garage are insecure, unsafe or structurally defective. The cause of the fire is under investigation. After discussion, the following resolution was passed:

Resolution - Abate nuisance at 6311 Louisville St.: TRUSTEE LYNCH MOTIONED DUE TO A STRUCTURAL FIRE AT 6311 LOUISVILLE ST. AND AS ADVISED BY FIRE CHIEF RICHARD PETERSON, WE THE BOARD OF TRUSTEES DECLARE AND DETERMINE THAT THE BUILDINGS AT 6311 LOUISVILLE ST., PAR# 33-08683, ARE INSECURE, UNSAFE OR STRUCTURALLY DEFECTIVE AND DETERMINE THAT AN EMERGENCY EXISTS AND ORDER THE NUISANCE BE ABATED TO TAKE ACTION AND TEAR DOWN THE STRUCTURES IN COMPLIANCE WITH O.R.C. 505.86 AND TO PLACE ALL RELATED COSTS ON THE TAX DUPLICATE SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-155**

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

Update on the promotional process for Captain positions: The Chief reported the agility tests were done last night and all passed. Trustee Johnson will represent the Board for the promotional process. The Chief will keep everyone updated.

Water Rescue Training Tuesday July 17th & 24th, 2012: The Chief invited the Board to attend the Water Rescue Training which will be held at the Quarry off Pilot Knob Tuesday, July 17th & Tuesday, July 24th at 7:00 PM.

ROAD DEPARTMENT: (Jack Magee, Superintendent)

Open sealed bid for sale of 1978 Champion Grader: Jack reported he received one bid from Middleton Township in Negley, OH. Trustee Shafer opened the sealed bid and read aloud the bid amount, which was \$10,503.52.

TRUSTEE LYNCH MOTIONED TO ACCEPT THE BID IN THE AMOUNT OF \$10,503.52 FROM MIDDLETON TOWNSHIP FOR THE 1978 CHAMPION GRADER MODEL #740A, AS IS, SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-156**

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

Resolution – Award 2012 Roadway/Paving Improvement Project: TRUSTEE LYNCH MOTIONED TO AWARD THE 2012 ROAD PAVING/IMPROVEMENT PROJECT TO NORTH STAR ASPHALT, INC. FOR PARTS A & B ONLY IN THE AMOUNT OF \$217,320.60 SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-157** (List of 13 roads totaling 3.68 miles is at the township office)

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

Resolution – Lease to Purchase through state pricing a 2012 Ford 550 1-ton dump truck for \$42,645.00: Jack explained he has been pricing small dump trucks and working with Tillie and Brian. He'd like to lease to purchase the truck over a period of three years (2012, 2013 & 2014) with \$16,000 down now and finance the rest with expected delivery October or November, 2012. The deadline to purchase the truck through state purchasing is July 20, 2012. The 2012 Ford 550 1-ton will be replacing a 15-year old 1997 one-ton dump truck. After discussion: TRUSTEE JOHNSON MOTIONED TO APPROVE THE LEASE TO PURCHASE A 2012 FORD 550 ONE-TON DUMP TRUCK FOR \$42,645.00 THROUGH STATE PRICING SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-158**

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

Missing street signs: Jack reported he filed a report with the Stark County Sheriff that 13 township street signs are missing. One was a speed limit sign and the rest were street name signs. Total cost to the taxpayers to replace the signs, including labor, sign and fuel, is \$896.56. Trustee Lynch said the township will prosecute those who took the signs to the fullest extent of the law. The Sheriff's Department will put something in the paper about the danger caused by missing signs – especially missing STOP signs which could potentially cause a fatal traffic crash.

Auction of 1995 pick up: Jack reported the auction for the 1995 pick-up sold for \$2,600.00 through GovDeals.com. The blue book listed its value at \$2,700.00 in fair condition. He was pleased using this site and said he would use it again.

Resolution – Approve Road Report for July 12, 2012: TRUSTEE JOHNSON MOTIONED TO APPROVE THE WRITTEN ROAD REPORT FOR JULY 12, 2012, AS PRESENTED, SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-159**

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

ZONING DEPARTMENT: (Inspector Dale Riggerbach)

Resolution – Declare 4282 Fruitland a nuisance: TRUSTEE LYNCH MOTIONED TO DECLARE 4282 FRUITLAND AVE. NE, PAR#33-03571, A NUISANCE, ABATE THE PROPERTY FOR HIGH GRASS/OTHER DEBRIS AND PLACE ALL RELATED COSTS ON THE TAX DUPLICATE IN COMPLIANCE WITH O.R.C. 505.87 VEGETATION, GARBAGE, REFUSE AND OTHER DEBRIS SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-160**

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

Resolution – Approve June 2012 Zoning Report for Stark County Auditor: TRUSTEE JOHNSON MOTIONED TO APPROVE THE JUNE 2012 ZONING REPORT FOR THE STARK COUNTY AUDITOR SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-161**

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

Resolution – Approve Zoning Report for July 12, 2012: TRUSTEE LYNCH MOTIONED TO APPROVE THE ZONING REPORT FOR JULY 12, 2012, AS PRESENTED, SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-162**

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

Cost of mowing township properties: Dale reported the township has mowed nine (9) properties in 2012 at a cost of \$1,560.00. This does not include 4282 Fruitland.

FISCAL OFFICER: (Brian Kandel)

Resolution – Enroll in a new 2013 OBWC Group Rating Program w/Frank Gates: TRUSTEE SHAFER MOTIONED TO ENROLL IN A NEW 2013 OBWC GROUP RATING WITH FRANK GATES BEING THE THIRD PARTY ADMINISTRATOR SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-163**

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

Mr. Kandel reported the cost is \$22,040 which is down from last year. He said this is based on the 2012 annual payroll.

CITIZENS:

Frank Antonacci, Louisville City School Board stepped to the podium and gave a presentation on the upcoming school levy asking the trustees for their support for the five-year 5.9 Mill Emergency Operating Levy that will be on the ballot for the Aug. 7th Special Election. Mr. Antonacci said this has nothing to do with buildings or structures and is strictly for the operating levy to help reduce cutting teachers and programs. Discussion was held about possibly holding a work session with the entire community.

TRUSTEES:

Seminar hosted by Stark County Health Department on ‘Dangers of Methane Gas in Water Wells’: Trustee Lynch reported there will be a seminar on Thursday, July 26th from 9 a.m. to 11:30 a.m. at the Jackson Township Safety Center on ‘DANGERS OF METHANE GAS IN WATER WELLS’. Trustee Lynch said he would not be available to attend and asked both Trustee Shafer and Johnson if they could attend. Mrs. Shafer said she would not be available. Mr. Johnson will check his schedule to find out if he will be available. Mrs. Shafer suggested they send us the Power Point Presentation if no one is able to attend.

Trustee Lynch absent at next meeting: Trustee Lynch reported he will be absent at the next trustees meeting on July 26th.

RESOLUTION - APPROVE JUNE 28, 2012 MEETING MINUTES: TRUSTEE JOHNSON MOTIONED TO APPROVE THE JUNE 28, 2012 MINUTES AS PRESENTED SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-164**

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

RESOLUTION - APPROVE ALL PURCHASE ORDERS, FINANCIAL REPORT AND PAY BILLS: TRUSTEE LYNCH MOTIONED TO APPROVE ALL PURCHASE ORDERS, FINANCIAL REPORT AND PAY BILLS IN THE AMOUNT OF \$12,385.04 SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-165**

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

RESOLUTION - SIGN CHECKS AND ADJOURN: TRUSTEE JOHNSON MOTIONED TO SIGN CHECKS AND ADJOURN AT 7:35 PM SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-166**

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

ATTEST: Brian Kandel
Fiscal Officer

Lisa R. Shafer, President

Lou J. Johnson, Vice President

Michael L. Lynch
Nimishillen Township Board of Trustees