

**RES#12-237**  
**Nimishillen Township Board of Trustees**  
**Township Hall: 4422 Maplegrove NE, Louisville, OH 44641**

**October 25, 2012**

On Thursday, October 25, 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:** Mike Lynch

**FIRE DEPARTMENT:** (Chief Richard Peterson)

*Excuse Chief Peterson:* Trustee Shafer excused Rich from tonight's meeting.

**ROAD DEPARTMENT:** (Jack Magee, Superintendent)

*Excuse Superintendent Magee:* Trustee Shafer excused Jack from tonight's meeting.

*Resolution: Accept John Conrad's resignation:* TRUSTEE LYNCH MOTIONED TO ACCEPT JOHN CONRAD'S RESIGNATION FROM THE ROAD DEPARTMENT EFFECTIVE OCT. 19, 2012 SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-220**

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

*Resolution: Advertise in papers for part-time position:* TRUSTEE JOHNSON MOTIONED TO ADVERTISE FOR A PART-TIME POSITION IN THE ROAD DEPARTMENT IN THE LOUISVILLE HERALD, THE REPOSITORY AND ALLIANCE REVIEW SECONDED BY TRUSTEE LYNCH.

**MOTION CARRIED. RES#12-221**

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

*Resolution: Approve Road Report:* TRUSTEE LYNCH MOTIONED TO APPROVE THE ROAD REPORT FOR OCTOBER 25, 2012 AS WRITTEN SECONDED BY TRUSTEE JOHNSON.

**MOTION CARRIED. RES#12-222**

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

**ZONING DEPARTMENT:** (Inspector Dale Riggerbach)

*Resolution – Approve Zoning Report:* TRUSTEE JOHNSON MOTIONED TO APPROVE THE OCTOBER 25, 2012 ZONING REPORT AS WRITTEN SECONDED BY TRUSTEE LYNCH.

**MOTION CARRIED. RES#12-223**

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

**FISCAL OFFICER:**

Resolution: Accept amount and rates as determined by the Budget Commission: TRUSTEE LYNCH MOTIONED TO ACCEPT THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZE THE NECESSARY TAX LEVIES AND CERTIFY THEM TO THE COUNTY AUDITOR FOR FISCAL YEAR COMMENCING JANUARY 1, 2013 SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-224**

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

**CITIZENS:**

Kendrick Holbrook, 4721 Fruitland asked for an update on the Gary Reed case at 6271 Apple St. zoned R-1 Single Family Residential.

- 2005-Mr. Reed received a variance for a home occupation on condition he build a building within one year to store his heavy equipment
- 2009-Mr. Reed was ordered to appear before the BZA –he had not built a building to store his equipment-his permit for a home business was revoked and given another year to remove, sell or store the equipment
- 2010, A ‘*First Cause of Action*’ was filed
- Trustees have worked with Mr. Reed and have given him more than enough time to comply
- Mr. Reed is in violation of a court order
- Trustees questioned if the township could have the remaining pieces of equipment towed from Mr. Reed’s property
- Trustees instructed Dale to make this case a priority
- Dale said Stk. Co. Prosecutor, Mike Bickis, is in the process of contacting Gary Reed’s Attorney, Jeff Jakmides, to try to resolve this matter
- Dale will contact Attorney Bickis to move forward with whatever we have to do to alleviate this on-going. Reed is allowed 1 truck, 1 trailer max 30’, and something on the trailer but truck & trailer must have current plates and could be used by Mr. Reed as transportation to or from work.

**TRUSTEES:**

Funding and Resources Workshop – 12/12/12 – Columbus: After discussion, the Board agreed Mike Lynch would attend the workshop on Dec. 12, 2012 in Columbus, Ohio.

Resolution – Approve October 11, 2012 Minutes: TRUSTEE JOHNSON MOTIONED TO APPROVE THE MINUTES FOR OCTOBER 11, 2012 AS WRITTEN SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-225**

Roll call voting: Mr. Johnson – YES, Mr. Lynch – YES; Mrs. Shafer - ABSTAINED

Resolution – Approve purchase orders, financial report and pay bills: TRUSTEE LYNCH MOTIONED TO APPROVE ALL PURCHASE ORDERS, FINANCIAL REPORT AND PAY BILLS IN THE AMOUNT OF \$88,214.78 SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-226**

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

**Resolution – Adjourn into executive session:** TRUSTEE SHAFER MOTIONED TO ADJOURN INTO EX SESS AT 7:13 PM FROM THIS REGULAR MEETING OF OCT. 25, 2012 AS AUTHORIZED UNDER ORC 121.22(G) FOR THE PURPOSE AND CONSIDERATION OF:

- (1) PERSONNEL EMPLOYMENT AND COMPENSATION OF A PUBLIC EMPLOYEE
- (4) COLLECTIVE BARGAINING MATTERS FOR THE PURPOSE OF CONSIDERATION OF PREPARING FOR, CONDUCTING OR REVIEWING NEGOTIATIONS OR BARGAINING SESSIONS WITH PUBLIC EMPLOYEES SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-227**

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

**Resolution – Return from executive session:** TRUSTEE SHAFER MOTIONED TO RETURN FROM EX SESS AT 8:10 PM AND RESUME THE REGULAR MEETING SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#12-228**

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

**Resolution – Sign checks and adjourn:** TRUSTEE LYNCH MOTIONED TO SIGN CHECKS AND ADJOURN AT 8:10 PM SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#12-229**

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

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ATTEST: Brian Kandel  
Fiscal Officer

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Lisa R. Shafer, President

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Lou J. Johnson, Vice President

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Michael L. Lynch  
Nimishillen Township Board of Trustees