

**RES#14-271**  
**NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES**  
**Township Hall: 4422 Maplegrove NE, Louisville, OH 44641**  
**SEPTEMBER 25, 2014**

On Thursday, September 25, 2014, 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 Michael L. Lynch, Trustee Lou J. Johnson and Fiscal Officer Brian Kandel.

**NOTE:** All reports and attachments are available at the township office located at 4915 N. Nickelplate at a cost of 10¢ per page or can be sent via fax or email. Audio of tonight's meeting can be emailed to interested parties by calling the township office at 330-875-9924.

**7:00 PM:**

Trustee Shafer called the meeting to order and led the staff and audience in the Pledge of Allegiance. Trustee Lynch gave the invocation.

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

**Resolution – Approve August 2014 Fire Report:** Trustee Johnson motioned to approve the August 2014 Fire Report seconded by Trustee Lynch. **MOTION CARRIED. RES#14-246**

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

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

**Paving Project:** Jack reported the paving project is complete and said Northstar did a good job.

**Resolution – Approve September 25, 2014 Road Report:** Trustee Johnson motioned to approve the Road Report for September 25, 2014 seconded by Trustee Lynch. **MOTION CARRIED. RES#14-247**

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

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

**Resolution – Approve September 25, 2014 Zoning Report:** Trustee Johnson motioned to approve the Zoning Report for September 25, 2014 seconded by Trustee Lynch. **MOTION CARRIED. RES#14-248**

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

**Resolution – Approve Modification of Zoning Certificate Fee Schedule:** Trustee Shafer motioned to approve modification of the Zoning Certificate Fee Schedule effective September 26, 2014 seconded by Trustee Johnson. **MOTION CARRIED. RES#14-249** *(See fee schedule below)*

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

**ZONING FEES**  
*(Res#14-249 – Effective 9/26/2014)*

ALL FEES WILL BE ROUNDED TO THE LOWEST DOLLAR AMOUNT

A. **ZONING CERTIFICATE FEE SCHEDULE**

1. **Residential Uses**

- a. Single-family Dwelling  
Sixty (60) dollars plus six (.06) cents per square foot of outside dimensions for each floor of the structure.
- b. Two-family Dwelling – Seventy-five (75) dollars plus six (.06) cents per square foot of outside dimensions for each floor of the structure.
- c. Accessory buildings, additions or modifications of more than ten (10) square feet – thirty (30) dollars plus six (.06) cents per sq. ft. of outside dimensions for each floor of the structure.
- d. Swimming Pools – Forty (40) dollars
- e. Decks – Forty (40) dollars

2. Multifamily, commercial or industrial structures and/or accessory buildings or additions – a minimum of one hundred twenty-five (125) dollars plus six (.06) cents per square foot of outside dimensions for each floor of the structure plus one (.01) cent per sq. ft. for any structure over 10,000 sq. ft.

3. Manufactured Home Park – Three hundred (300) dollars for first ten (10); Twenty-five (25) dollars for each additional unit.

4. Recreational, institutional, governmental, and miscellaneous structures and/or accessory buildings or additions – a minimum of one hundred (100) dollars plus six (.06) cents per square foot of area within the outside dimensions of the foundation.

5. Signs:

- a. Signs advertising a business or service other than a home occupation being operated on the premises:  
Less than 50 square feet – Forty (40) dollars.
- b. Signs advertising a home occupation – Thirty (30) Dollars.
- c. Outdoor advertising signs (billboards) pertaining to businesses, services and/or activities not carried on upon the premises upon which sign is located:
  - Less than 50 square feet – Fifty (50) dollars.
  - 50 square feet but less than 100 square feet – One hundred fifty (150) dollars.
  - 100 square feet but less than 200 square feet – Two hundred (200) dollars.
  - 200 square feet but less than 400 square feet – Three hundred (300) dollars.
  - 400 square feet and larger – Four hundred (400) dollars.

*Trustees Minutes – 2014, September 25 (Cont.)*

6. Filing application to the Board of Zoning Appeals – The fee for a variance

or conditional use permit shall be three hundred (300) dollars.

- a) When the Board of Zoning Appeals finds it necessary to maintain a strict record of public hearing procedure, or when the Board of Zoning Appeals will deem it necessary to cause special studies to be made, the applicant shall bear all direct and related costs deemed necessary by the Board. Applicant shall be responsible for all mailing fees and any additional costs incurred in the event of re-advertisement and re-notification.
7. Filing application to the Zoning Commission for a zone change or amendment shall be three hundred (300) dollars.
  - a) When the Zoning Commission finds it necessary to maintain a strict record of public hearing procedure, or when the Zoning Commission will deem it necessary to cause special studies to be made, the applicant shall bear all direct and related costs deemed necessary by the Commission. Applicant shall be responsible for all mailing fees and any additional costs incurred in the event of re-advertisement and re-notification.
8. Land Use (storage, etc.) not otherwise covered in this fee schedule shall be two hundred (200) dollars.
9. Conditional Use Permits not listed shall be one hundred (100) dollars annually.
10. Subdividing parcels/lots - Approval/signing fee shall be twenty (20) dollars.
11. Junk Yard – The fee shall be five hundred (500) dollars plus fifty (50) dollars per acre.  
Renewals: Two hundred fifty (250) dollars plus forty (40) dollars per acre annually.
12. Dumps and Landfills – The fee shall be one thousand two hundred fifty (1,250) dollars plus fifty (50) dollars per acre.  
Renewals – Eight hundred (800) dollars plus fifty (50) dollars per acre annually.
13. Strip Mining – The fee shall be four hundred (400) dollars plus fifty (50) dollars per acre annually.  
Renewals: Two hundred (200) dollars plus forty (40) dollars per acre annually.
14. Outdoor Wood-Burning Furnaces – The fee is fifty (50) dollars as set by the Nimishillen Township Board of Trustees.
15. Small Wind Energy Systems – The fee is one hundred (100) dollars as set by the Nimishillen Township Board of Trustees.

**B. SECTION 1301.5 – FEES AND FAILURE TO OBTAIN PERMIT**

- a. Fees  
Zoning Certificate Fees shall be set by resolution by the Board of Trustees, which may be modified from time to time. All fees will be rounded to the lowest dollar amount.

*Trustees Minutes – 2014, September 25 (Cont.)*

- b. Failure to obtain permit before construction or use has commenced  
The zoning certificate required herein shall be obtained BEFORE any location

erection, construction, reconstruction, enlargement, or structural alteration is commenced. Any zoning certificate issued in conflict with the provisions of this resolution shall be null and void. Where construction is commenced prior to obtaining a zoning certificate, the zoning inspector shall notify the property owner of the need to obtain a zoning certificate. If an application is not filed within ten (10) days of such notice, an additional fee shall be charged. This fee can be set by resolution by the Board of Trustees, which may be modified from time to time.

C. **SECTION 1302.2 – PENALTIES AND ENFORCEMENT**

a. Penalties

Any person violating any provisions of this resolution or supplements or amendments thereof shall be fined not more than one hundred twenty-five (125) dollars per offense. Each day of continuation of a violation of this resolution shall be deemed a separate offense. This shall be in addition to all other remedies which are provided by law.

D. **ZONING RESOLUTION** – Twelve (12) dollars each plus three (3) dollars mailing fee.

**EXECUTIVE SESSION:**

Trustee Johnson motioned to enter into executive session from this regular meeting at 7:15 PM as authorized under O.R.C. 121.22(G)(1) Personnel Matters to consider employment of a public employee seconded by Trustee Lynch. **MOTION CARRIED. RES#14-250**

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

Trustee Johnson motioned to return from executive session at 7:30 PM and resume this regular meeting seconded by Trustee Lynch. **MOTION CARRIED. RES#14-251**

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

**No action was taken** upon return from Executive Session.

Trustee Johnson motioned to enter into executive session from this regular meeting at 7:30 PM as authorized under O.R.C. 121.22.(G)(1) Personnel Matters to consider the appointment or employment of a person for township secretary seconded by Trustee Shafer. **MOTION CARRIED. RES#14-252**

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

Trustee Johnson motioned to return from executive session at 9:00 PM and resume this regular meeting seconded by Trustee Lynch. **MOTION CARRIED. RES#14-253**

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

**No action was taken** upon return from Executive Session.

**TRICK-OR-TREAT:** Trustee Lynch motioned Trick-or-Treat will be held Sunday, October 26<sup>th</sup> from 3:00 PM – 5:00 PM as set by the Stark County Commissioners seconded by Trustee Johnson. **MOTION CARRIED. RES#14-254**

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

*Trustees Minutes – 2014, September 25 (Cont.)*

**FISCAL OFFICER:** *(Brain Kandel)*

**Resolution – Transfer of Funds:** Trustee Lynch motioned to approve the transfer of \$20,000 from 11-B-01 (salaries) to 11-B-02 (materials) seconded by Trustee Johnson. **MOTION CARRIED. RES#14-255**

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

**Resolution – Integrity Energy Two-year Plan:** After discussion, Trustee Lynch motioned to approve Integrity Energy for 24 months @ a price of 0.0734 to provide electricity starting April 2015. **MOTION CARRIED. RES#14-256**

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

**TRUSTEES:** (*Lisa Shafer, Mike Lynch, Lou Johnson*)

**Resolution – Approve Minutes for September 11, 2014:** Trustee Johnson motioned to approve the written minutes for September 11, 2014 seconded by Trustee Lynch. **MOTION CARRIED. RES#14-257**

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

**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 \$82,982.45 seconded by Trustee Johnson. **MOTION CARRIED. RES#14-258**

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

**Resolution – Sign checks and adjourn:** Trustee Johnson motioned to sign checks and adjourn at 9:10 p.m. seconded by Trustee Lynch. **MOTION CARRIED. RES#14-259**

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

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ATTEST: Brian Kandel, Fiscal Officer

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Lisa R. Shafer, President

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Michael L. Lynch, Vice President

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Lou J. Johnson, Trustee  
NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES