

**RES#14-\_\_\_\_\_**  
**NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES**  
**Township Hall: 4422 Maplegrove NE, Louisville, OH 44641**  
**January 9, 2014**

On Thursday, January 9, 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: President Lisa R. Shafer, Vice President Michael L. Lynch, Trustee Lou J. Johnson 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.

**7:00 PM:** Trustee Shafer called the meeting to order & led the staff and audience in the Pledge of Allegiance. Trustee Lynch gave the invocation.

**FIRE:** (Rich Peterson, Chief)

1. **Request to send two captains to an ice rescue class:** The Board agreed to send Captain Scott Bauer and Captain Eric Ohman to an ice rescue class in Kent Feb. 16<sup>th</sup>, 17<sup>th</sup> & 18<sup>th</sup> at a cost of \$425.00 per person. The course is put on by Dive Rescue International out of Ft. Collins, CO. They, in turn, will train fire department employees.

2. **Resolution – Approve November 2013 & December 2013 Fire Reports:** TRUSTEE JOHNSON MOTIONED TO APPROVE THE NOVEMBER 2013 & DECEMBER 2013 FIRE REPORTS SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-016**

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

**ROAD:** (Jamie May, Interim Superintendent)

1. **Resolution - Approve January 9, 2014 Road Report:** TRUSTEE JOHNSON MOTIONED TO APPROVE THE JANUARY 9, 2014 ROAD REPORT AS PRESENTED SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-017**

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

Trustee Shafer thanked all Fire Dept. employees for serving the public and all Road Dept. employees working day/night keeping all township roads clear of ice/snow during this past week or so of winter weather.

**ZONING:** (Dale Riggenbach, Inspector)

1. **Inoperable vehicles & Public Nuisances:** Dale gave updates on the procedures for each. See below.

January 9, 2014

Re: Public Nuisances, Nimishillen Township Property Maintenance Code

Dear Board of Trustees,

Regarding what was discussed at December 26, 2013 Trustee's meeting. We discussed junk, old tires, motor vehicle parts, discarded building materials, all found in the Property Maintenance Code. It should be noted to all, that I do follow-up on these.

Going forward, this is the outline that I would like to follow.

- 1) Letter to owner of property regarding issues.
- 2) Second Letter issued, or visit and letter if no contact is made to Township Zoning Inspector.
- 3) If no contact is still not made, no issues have been addressed; at that point I will contact the Stark County Health Department.

I will be fair if contacted, and try to work out a fair time table for all involved.

Dale Riggerbach  
Nimishillen Township  
Zoning Inspector

January 9, 2014

Re: Section 603.7 Restrictions on the Parking and Storage of Vehicles.

Dear Board of Trustees,

I just wanted to update the public in regards to parking, storage of any motor vehicle, trailer, recreational vehicle, boat, boat trailer in a wrecked, inoperable, dismantled, abandoned condition, or without current legally displayed license plates. All of the above conditions are prohibited, unless it is stored within an enclosed building.

There have been many questions regarding this; I have talked to Assistant Stark County Prosecutor Attorney Mike Bickis regarding this very issue. Attorney Bickis stated that I can legally do the following:

- 1) Ask to see proof of the current registration for each vehicle.
- 2) Ask the owner to move the vehicles from point A to point B, to ensure vehicles are operable.
- 3) Consider all vehicles inoperable (pictures to show proof), if vehicles haven't moved in three (3) months.

The above three items are found in every letter sent to an owner, resident, regarding any vehicles that may meet the requirements.

Please note, I have been out, taking pictures at various locations.

Dale Riggerbach  
Nimishillen Township  
Zoning Inspector

3. **Resolution – Approve December 2013 Zoning Report for Stark County Auditor:** TRUSTEE LYNCH MOTIONED TO APPROVE THE DECEMBER 2013 ZONING REPORT FOR STARK COUNTY AUDITOR SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#14-018**  
Roll call voting: Mr. Lynch – YES; Mr. Johnson – YES; Mrs. Shafer - YES

4. **Resolution - Approve January 9, 2014 Zoning Report:** TRUSTEE LYNCH MOTIONED TO APPROVE THE JANUARY 9, 2014 ZONING REPORT AS PRESENTED SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#14-019**  
Roll call voting: Mr. Lynch – YES; Mr. Johnson – YES; Mrs. Shafer - YES

**FISCAL OFFICER:** (Brian Kandel)

1. **Resolution – Authorize the Fiscal Officer to file request with the Stk. Co. Auditor for weekly Tax Advances:** TRUSTEE LYNCH MOTIONED TO AUTHORIZE THE FISCAL OFFICER TO FILE REQUESTS WITH THE STARK COUNTY AUDITOR FOR WEEKLY TAX ADVANCES OF THE FEBRUARY AND JULY REAL ESTATE TAX SETTLEMENT 2014 FOR THE MAXIMUM AMOUNT ALLOWABLE BY LAW OF THE CURRENT COLLECTION OF TAXES ASSESSED AND COLLECTED FOR AND IN BEHALF OF NIMISHILLEN TOWNSHIP SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#14-020**  
Roll call voting: Mr. Lynch – YES; Mr. Johnson – YES; Mrs. Shafer - YES

**CITIZENS:** Joanne Moody of 7018 Pilot Knob complimented the road department for doing a great job keeping all roads clear of ice & snow and said their hard work is very much appreciated.

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

1. **Resolution – Approve to pay for all zoning members to attend Law Seminar:** TRUSTEE JOHNSON MOTIONED TO APPROVE TO PAY FOR ZONING BOARDS AND ZONING INSPECTOR TO ATTEND THE GOVT. LAW SEMINAR SAT., FEBRUARY 8, 2014 @ A COST OF \$25.00 PER PERSON SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-020A**  
Roll call voting: Mr. Johnson – YES; Mr. Lynch – YES – Mrs. Shafer - YES

2. **ODOT –SR 30 To Pittsburgh:** Trustee Lynch explained there are plans to widen SR 30 east towards the Pittsburgh market. ODOT is trying to put it on the chopping block. Lynch said he will write a letter to ODOT, as well as Governor Kasich’s office, stating he feels this is not a wise move and feels that moving forward with this project is crucial to the economic development of this community. Shafer & Johnson agreed.

3. **Resolution – Certification of township mileage for 2013:** TRUSTEE JOHNSON MOTIONED TO APPROVE THE CERTIFICATION OF HIGHWAY MILEAGE TO MAINTAIN 67.990 MILES FOR 2013 SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-021**  
Roll call voting: Mr. Johnson – YES; Mr. Lynch – YES; Mrs. Shafer - YES

4. **Resolutions – Executive Session:**

- TRUSTEE JOHNSON MOTIONED TO ENTER INTO EXECUTIVE SESSION AT 7:18 PM FROM THIS REGULAR MEETING AS AUTHORIZED UNDER O.R.C. 121.22(G)(1) PERSONNEL MATTERS TO CONSIDER COMPENSATION OF PUBLIC EMPLOYEES SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-022**

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

- TRUSTEE JOHNSON MOTIONED TO RETURN FROM EXECUTIVE SESSION AT 8:00 P.M. AND RESUME THIS REGULAR MEETING SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-023**

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

- **Upon return from executive session**, Shafer said no action will be taken until after the board consults with the Stark County Prosecutor.

5. **Resolution – Fill expired seats on Zoning Commission and Board of Appeals:** After discussion:

- TRUSTEE JOHNSON MOTIONED TO REINSTATE REGAN STARKEY TO SERVE ANOTHER FIVE-YEAR TERM ON THE ZONING COMMISSION WHICH WILL EXPIRE 12-31-18 SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-024**

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

- TRUSTEE LYNCH MOTIONED TO REINSTATE GARY BRAHLER TO SERVE ANOTHER FIVE-YEAR TERM ON THE BOARD OF APPEALS WHICH WILL EXPIRE 12-31-18 SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#14-025**

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

6. **Resolution – Approve December 26, 2013 Meeting Minutes & January 2, 2014 Organizational Meeting Minutes:** TRUSTEE JOHNSON MOTIONED TO APPROVE THE DECEMBER 26, 2013 MEETING MINUTES AND THE JANUARY 2, 2014 ORGANIZATIONAL MEETING MINUTES SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-026**

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

7. **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 \$18,157.20 SECONDED BY TRUSTEE JOHNSON. **MOTION CARRIED. RES#14-027**

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

8. **Resolution – Sign checks and adjourn:** TRUSTEE JOHNSON MOTIONED TO SIGN CHECKS AND ADJOURN AT 8:02 P.M. SECONDED BY TRUSTEE LYNCH. **MOTION CARRIED. RES#14-028**

Roll call voting: Mr. Johnson – YES; Mr. Lynch – 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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Michael L. Lynch, Vice President

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Lou J. Johnson, Trustee