

**RES#16-\_\_\_\_\_**  
**NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES**  
**Township Hall: 4422 Maplegrove NE, Louisville, OH 44641**  
**December 22, 2016**

**7:00 PM – Trustees Meeting:**

On Thursday, December 22, 2016, 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 Todd D. Bosley, 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.

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:** *(Rich Peterson, Chief)*

**Resolution – Approve November 2016 Fire Report:** Trustee Lynch motioned approve November 2016 Fire Report seconded by Trustee Bosley. **MOTION CARRIED. RES#16-368**

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

**ROAD DEPARTMENT:** *(Jamie May, Interim Rd. Superintendent)*

**Resolution – Approve December 22, 2016 Road Report:** Trustee Lynch motioned to approve the Road Report for December 22, 2016 seconded by Trustee Bosley. **MOTION CARRIED. RES#16-369**

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

Discussion – Interim Road Superintendent Jamie May informed the Board that he has not heard back from the salesman regarding a quote for a Grapple Bucket. The Board tabled this discussion to the next meeting; however the letter will have to go out to Stark-Tusc.-Wayne by the next meeting.

Discussion – Interim Road Superintendent Jamie May informed the Board of some repairs on Truck #5. While installing new brakes the crew noticed the ball joints, tie rods, and the entire front end needs attention. Truck #5 was taken to C & B and a quote of \$2,000 was given. Trustee Bosley stated that since it's under \$2,500 it's okay to do but asked if the quote was in writing. Mr. May said no but C & B stated it would be between \$1,500 & \$2,000. Trustee Shafer asked Mr. May to have them put it in writing and send it out to the Board.

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

**Resolution – Approve December 22, 2016 Zoning Report:** Trustee Lynch motioned to approve the December 22, 2016 Zoning Report seconded by Trustee Bosley. **MOTION CARRIED. RES#16-370**

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

Discussion – Zoning Inspector Dale Riggerbach informed the Board that he received the approved Nexus Gas RUMA from the Stark County Engineers. The RUMA for the township will follow the lead from the Engineers very closely. Some minor changes will be made. Trustee Lynch asked if this will affect the township that much & if bonds are needed for the affected roads. Mr. Riggerbach stated it will out on Beech. The route they will use is coming from SR 62 and Beech to Columbus Rd., & yes road bonds will be needed.

**FISCAL OFFICER:** *(Brian Kandel)*

**Resolution:** Trustee Lynch motioned to approve transfer \$1,000 from 28 – A – 05 (*Tools & Equip.*) to 28 – A – 09 (*Other Expenses*) seconded by Trustee Bosley. **MOTION CARRIED. RES#16-371**

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

**Resolution:** Trustee Lynch motioned to Declaring it Necessary to Submit the Question of Levying an Additional Tax in Excess of the Ten-Mill Limitation for the Purposes Set Forth in and Pursuant to Section 5705.19(I) of the Revised Code seconded by Trustee Bosley. **MOTION CARRIED. RES#16-372**

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

Discussion – Fiscal Officer Kandel informed the Board and the audience that this resolution will be for the Fire Levy for May 2<sup>nd</sup> election. Trustee Lynch asked Fire Chief Rich Peterson about possibly scheduling a meeting with the Board about the levy. Chief Peterson stated they are planning on having one. Trustee Lynch asked to please involve the Board.

**Resolution:** Trustee Lynch motioned Determining to Proceed with the Submission of the Question of Levying an Additional Tax in Excess of the Ten-Mill Limitation for the Purposes Set Forth in and Pursuant to Section 5705.19(I) of the Revised Code and Approve Ballot Language seconded by Trustee Bosley. **MOTION CARRIED. RES#16-373**

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

Discussion – Fiscal Officer Kandel asked the Board to approve the purchase of 4 computers for the township office. 3 computers are from 2006 and 1 computer is from 2011.

**Resolution – Approve purchase of 4 computers for Township Office total not to exceed \$4,100:**

Trustee Lynch motioned to approve purchase of 4 computers for Township Office total not to exceed \$4,100 seconded by Trustee Bosley. **MOTION CARRIED. RES#16-374**

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

Discussion – Trustee Bosley asked if the purchase has to do with the inflection/virus that came from the Road Superintendent computer. Fiscal Officer Kandel stated yes, there was a virus the spread through the network; 1 computer is no longer available. The virus was ransom ware, it affected the PDF files. No documentation or information was lost. This occurred the Wednesday before Thanksgiving. Trustee Bosley asked how to prevent this from happening again. Fiscal Officer Kandel explained that it could have been from a link that sits dormant than makes itself known or if you click on a link and it effects right away. Trustee Bosley asked if there is a way to set up control of what the staff can view. Fiscal Officer Kandel said there is a history for each computer and it was determined that the virus came from an email. Discussion was held regarding the blocking of sites for each computer to prevent the staff from searching the internet.

**CONCERNS OF CITIZENS:**

**Jim Morris of 4514 Eastland** stepped to the podium regarding:

- Concerned with equipment sitting on Peach St.
- Eastland ditch
- GPS for Road Dept.

Discussion – Mr. Morris asked the Board if the equipment sitting on Peach St. belongs to the County. Interim Road Superintendent Jamie May stated the equipment is from a contractor for the County. Mr. May has been communicating with the County a couple of times a week. Trustee Lynch asked if Mr. Connor gave any indication of what is going on. Mr. May stated that prior to last meeting he spoke to Gary Connor. Mr. Connor asked Jamie to take the pipe over for the Eastland

ditch and it was suppose to have started a month ago. Trustee Lynch asked Jamie to contact Gary for more information.

Discussion – Mr. Morris asked the Board about the GPS equipment for the township vehicles. Trustee Bosley stated that this topic fell off the radar since the Road Superintendent was fired. The Board hasn't asked Jamie to look into it but it will be on the Agenda in the 1<sup>st</sup> part of the New Year.

**Donna Fuller of 5857 Rosedale** stepped to the podium regarding:

- Comments on office use only for computers
- Township newsletter
- Zoning Book

Discussion – Ms. Fuller informed the Board that she would like to have the Township newsletter again, since Sharon retired, the meeting minutes are not as detailed, and she's concerned with wording in the Zoning Book. Trustee Bosley agreed with Ms. Fuller and that when Sharon was here the minutes were more in-depth, now the minute are a short outline. Trustee Shafer explained to Ms. Fuller that the Prosecutor's office said the minutes don't need to be as detailed, all the township is required to do is an outline/highlights of what happens at the meetings. Trustee Shafer informed Ms. Fuller that Zoning Inspector Dale Riggenbach has discussed after the holidays to bring together the Zoning Commission to look at different portions of the Zoning Book.

**Bob Kraus of 7506 Bentler Ave.** stepped to the podium regarding:

- Suggestions for completing meeting minutes

Discussion – Trustee Shafer informed Mr. Kraus that prior to Trustee Bosley being on the Board, the Board was instructed by the Prosecutors not to be as detailed with the meeting minutes and that is why there is a drastic difference from when Sharon was here. And you will see changes in the minutes Sharon had done as well.

**Resolution – Enter into Executive Session:** Trustee Bosley motioned to enter into executive session from this work session as authorized under O.R.C. 121.22(G)(1) Personnel Matters to consider appointment, employment, dismissal, promotion, demotion, or compensation of a Fire Dept. employee 7:26 p.m. seconded by Trustee Lynch. **MOTION CARRIED. RES#16-375**

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

**Resolution – Return from Executive Session:** Trustee Bosley motioned to return from executive session at 8:21 p.m. and resume this work session seconded by Trustee Lynch. **MOTION CARRIED. RES#16-376**

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

**TRUSTEES:** (Lisa Shafer, Mike Lynch, Todd Bosley)

Discussion – Trustee Lynch informed the Board that at the Stark County Township Association December meeting a representative from the Eric Ryan Corporation spoke at the meeting. Trustee Lynch explained that Plain Township has used their services. They come in and look at the utilities to find any errors or things that you're paying for but don't use. There is no charge but for every dollar they find that we will save, they receive 30¢, and we receive 70¢. If they don't find anything, we don't pay. Trustee Bosley asked if there is no fee for their service. Trustee Lynch stated no fee, but whatever they recover they get 30¢ on the dollar. Trustee Bosley is willing to support this and asked Trustee Lynch to have them send over a contract for the Board to review. Trustee Lynch will try to get someone to attend the next meeting.

Discussion – Trustee Shafer stated that the Unionized Road Dept. received a 2% increase and asked if the Board is open for the 2% increase for the rest of the township staff. Trustee Bosley agrees but thinks next year it should be performance based. It has been across the board for some time but Trustee Bosley doesn't feel that's the most productive for the organization.

**Resolution – Increase wages 2% for Fire Dept., Office, & Seasonal Road effective 12/24/2016:**

Trustee Bosley motioned to increase wages 2% for Fire Dept., Office, & Seasonal Road effective 12/24/2016 seconded by Trustee Lynch. **MOTION CARRIED. RES#16-377**

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

**Resolution – Approve Minutes for December 8, 2016 Meeting:** Trustee Bosley motioned to approve the written minutes for December 8, 2016 Meeting seconded by Trustee Lynch. **MOTION CARRIED. RES#16-378**

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

**Resolution – Approve Purchase Orders, Financial Report and Pay Bills:** Trustee Bosley motioned to approve all purchase orders, financial report and pay bills in the amount of \$62,233.36 seconded by Trustee Lynch. **MOTION CARRIED. RES#16-379**

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

Discussion – Trustee Shafer asked the Board to hold an Executive Session after the conclusion of the Organizational Meeting on January 4 for Personnel Matters regarding the Zoning Dept., Road Dept., and the Office Staff. The Board agreed. The Township Secretary informed the Board of a variance hearing at 7 p.m. and the possible conflict with the recording. Trustee Shafer stated that they will be in Executive Session in another room and someone will take notes at the beginning and end of the meeting. Discussion followed.

**Resolution – Authorize Executive Session After Organizational Meeting:** Trustee Shafer motioned to authorize Executive Session after Organizational Meeting seconded by Trustee Lynch. **MOTION CARRIED. RES#16-380**

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

**Resolution – Sign Checks and Adjourn:** Trustee Bosley motioned to sign checks and adjourn at 8:26 p.m. seconded by Trustee Lynch. **MOTION CARRIED. RES#16-381**

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

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ATTEST: Brian Kandel, Fiscal Officer      Lisa R. Shafer, President

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Michael L. Lynch, Vice President

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Todd D. Bosley, Trustee  
Nimishillen Township Board of Trustees