

RES#17-_____
NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES
Township Hall: 4422 Maplegrove NE, Louisville, OH 44641
July 13, 2017

On Thursday, July 13, 2017, 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 Michael L. Lynch, Trustee Vice President Todd D. Bosley, Trustee Lisa R. Shafer, 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 Lynch called the meeting to order, led the staff and audience in the Pledge of Allegiance and invocation.

Trustee Lynch excused Zoning Inspector Dale Riggerbach from tonight's meeting.

FIRE DEPARTMENT: *(Rich Peterson, Chief)*

Resolution – Approve June 2017 Fire Report: Trustee Shafer motioned to Approve June 2017 Fire Report seconded by Trustee Bosley. **MOTION CARRIED. RES#17-183**

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

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

Resolution – Approve July 13, 2017 Road Report: Trustee Shafer motioned to approve the Road Report for July 13, 2017 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-184**

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

ZONING DEPARTMENT: *(Dale Riggerbach, Inspector)*

Resolution – Approve July 13, 2017 Zoning Report: Trustee Shafer motioned to approve the July 13, 2017 Zoning Report seconded by Trustee Bosley. **MOTION CARRIED. RES#17-185**

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

Resolution – Approve June 2017 Zoning Report for Stark County Auditor: Trustee Shafer motioned to approve the June 2017 Zoning Report for Stark County Auditor seconded by Trustee Bosley. **MOTION CARRIED. RES#17-186**

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

FISCAL OFFICER: *(Brian Kandel)*

Resolution – Enter into Executive Session: Trustee Shafer motioned to enter into executive session from this regular meeting as authorized under O.R.C. 121.22(G)(1) Personnel Matters to consider appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee at 7:04 p.m. seconded by Trustee Bosley. **MOTION CARRIED. RES#17-187**

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

Resolution – Return from Executive Session: Trustee Shafer motioned to return from executive session at 7:14 p.m. and resume this regular meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#17-188**

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

No action was taken upon returning from Executive Session.

CONCERNS OF CITIZENS:

Clarence Borton of 5695 Sunland stepped to the podium regarding:

- Neighbor across the street not mowing yard

Discussion – Mr. Borton informed the Board that his neighbor across the street is not mowing their grass. Mr. Borton stated some weeds were up to his shoulders. Trustee Lynch stated that the Board will check with Dale, see where he is on that, and make sure this property is on his radar. Trustee Lynch explains to Mr. Borton that there is a procedure that Board has to follow. Trustee Lynch informs Mr. Borton that Trustee Bosley will follow-up on this. Discussion followed.

Robert Haren of 6589 Pilot Knob stepped to the podium regarding:

- Drug Testing

Discussion – Mr. Haren asked if any of the Board members have completed a drug test. Mr. Haren voiced his concerns and asked the Board why none of them had completed a drug test. Mr. Haren informs the Board that by the next meeting he expects the Board to have completed the drug test or he wants them to resign. Trustee Shafer explains to the audience the Board had received an opinion from the Prosecutor. Drug testing is not done anywhere in the United States and that is the way the Board is governed. Trustee Shafer encourages anyone to talk to the State Representatives if that's something they would want to move forward with.

Dawne Friedman of 5362 Francesca stepped to the podium regarding:

- \$20,000 funds from February 2006
- Traffic on Broadway

Discussion – Ms. Friedman asked the Board about the \$20,000 funds discussed in February 2006 for the Francesca project. The Board explains to Ms. Friedman that there was no specific account created for this project. Discussion followed.

Discussion – Ms. Friedman voiced her concerns of the increase of traffic on Broadway and asked the Board for an update on what's going to be done. Trustee Lynch stated that the Board did pose these questions to the Stark County Engineer and he is aware of the Board's concerns; however, they have not received any firm answers on what is going to be done. Discussion followed.

Donna Fuller of 5857 Rosedale stepped to the podium regarding:

- Zoning incident on Birchwood
- Library Levy and School Levy

Discussion – Ms. Fuller expressed her concerns to the Board regarding the incident that occurred on Birchwood, as well as the Library Levy and School Levy in the upcoming elections.

Julie Morris of 4514 Eastland stepped to the podium regarding:

- Asked the Board why Dale is absent
- Drug testing costs

Discussion – Ms. Morris asked the Board why Dale is absent from the meeting. Trustee Shafer stated that Dale has been under a hostile environment. Ms. Morris stated that she appreciates Todd, his video, and is glad to see him back.

Discussion – Ms. Morris held a discussion with the Board regarding the costs of a drug test. Ms. Morris stated that a drug test costs \$36 from the county.

Discussion – Trustee Shafer informed Ms. Morris that the incident on Birchwood is under investigation by the Stark County Sheriff’s Department. On the day of the incident, Trustee Shafer made the Prosecutor’s aware of the incident and it’s currently under investigation by the Sheriff’s and that’s why there’s no comment to that. Trustee Shafer stated that Trustee Bosley essentially needs to recuse himself from that particular incident because he does have a stake in that. And as a Board or Dale, can’t comment on that due to the investigation by the Sheriffs. Discussion followed.

Discussion – Trustee Bosley stated that there was an incident with the Zoning Inspector and a person with disabilities was affected. Trustee Bosley stated that this is his rental property and is upset because he was never notified of any issues. There is a protocol and at no point was he ever notified of any problem. We all need to get answers as to why this happened and will be getting into it further. Trustee Shafer stated that according to the Prosecutor, but it is up to Todd, that Trustee Bosley should recuse himself as a Board member. Trustee Bosley stated that he already stated and is recusing himself from any disciplinary action on this matter. As a Trustee, he will not discipline Dale. But as a property owner & homeowner this still has affected him, he still has many questions, and he still has many options as the property owner, not as a Trustee.

Jim Morris of 4514 Eastland stepped to the podium regarding:

- Questions about Francesca advertisements

Discussion – Mr. Morris asked the Board if the advertisement for Francesca was in the Canton paper as well as the Louisville paper. The Board informed Mr. Morris that the advertisement was in multiple times in the Canton Repository. Trustee Lynch asked when the due date is for this. Fiscal Officer Brian Kandel stated that are due by the 1st meeting in August.

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

Discussion – Trustee Bosley informed the Board that he spoke to the Stark County Health Department regarding the removal of tires from a property. Trustee Bosley spoke to the son of the property owner as well. The son stated they are moving out of the home and it will be in the process of foreclosure. The son informed Trustee Bosley that they are abandoning the property and they are fine with whatever we would do. Trustee Bosley spoke to Phil from the Health Department. The Health Department has 4 people to come out to load the tires. All the Township would provide is 1 dump truck and 1 driver. The Health Department will have their pickup trucks as well. Trustee Lynch asked what the township would need to provide. Trustee Bosley stated 1 dump truck and 1 drive and the Health Department thinks it should take about 4 hours. Trustee Lynch asked Interim Road Superintendent Jamie May what he thinks. Mr. May stated he doesn’t like the idea of going onto people’s property and suggests that the Health Department consider taking a dumpster to the property. Trustee Lynch and Trustee Bosley are for this and informed Jamie to do this with the Health Department. Trustee Bosley will contact Jamie once he hears back from Phil.

Resolution – Approve Minutes for June 22, 2017 Meeting: Trustee Shafer motioned to approve the written minutes for June 22, 2017 Meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#17-189**

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

Resolution – Approve Purchase Orders, Financial Report and Pay Bills: Trustee Shafer motioned to approve all purchase orders, financial report and pay bills in the amount of \$82,409.46 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-190**

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

Resolution – Sign Checks and Adjourn: Trustee Shafer motioned to sign checks and adjourn at 7:55 p.m. seconded by Trustee Bosley. **MOTION CARRIED. RES#17-191**

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

ATTEST: Brian Kandel, Fiscal Officer Michael L. Lynch, President

Todd D. Bosley, Vice President

Lisa R. Shafer, Trustee
Nimishillen Township Board of Trustees

*Minutes-Trustees: Trustees Minutes – 2017 July 13 .docx
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