

**RES#17-\_\_\_\_\_**  
**NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES**  
**Township Hall: 4422 Maplegrove NE, Louisville, OH 44641**  
**June 8, 2017**

On Thursday, June 8, 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 Fire Chief Rich Peterson from tonight's meeting. Chief Peterson is attending a meeting to prepare for a county wide training course.

**FIRE DEPARTMENT:** *(Rich Peterson, Chief – absent)*

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

**Resolution – Approve June 8, 2017 Road Report:** Trustee Shafer motioned to approve the Road Report for June 8, 2017 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-153**

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

Discussion – Interim Road Superintendent Jamie May informed the Board that he spoke to Brian Cole from the County regarding the letter from the Board regarding Stop Signs at Paris Ave. and State St. Mr. Cole informed Jamie that this intersection is a State route. Mr. Cole advised Jamie to have the Board send the letter to the State. Mr. Cole stated to Jamie that the County has double Stop Ahead signs leading to State St. After discussion, the Board agreed to send the letter to the State.

Discussion – Interim Road Superintendent Jamie May asked the Board about hiring a seasonal or possibly a full-time crew member. Jamie thinks there's 3 pretty good applicants on file with Class A CDL. He's not sure if the Board would want to hire seasonal instead of full-time, which is something to look into. Trustee Shafer suggested looking through the applications they currently have. Trustee Bosley suggested the Board discuss this in Executive Session, as well as discussing the Road Superintendent position. Trustee Bosley informs the audience they Board has offered the position to an applicant who down the position of Road Superintendent down. Trustee Bosley suggests to the Board about possibly advertising on Indeed.com. The Board decided to continue discussion during Executive Session later in the meeting.

Discussion – Interim Road Superintendent Jamie May informed the Board that he spoke to Joe Underwood regarding the Broadview Storm Sewer. Mr. Underwood suggested to Jamie to send a letter to the County asking for assistance starting the project. The Board agreed to send the letter.

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

**Resolution – Approve June 8, 2017 Zoning Report:** Trustee Shafer motioned to approve the June 8, 2017 Zoning Report seconded by Trustee Bosley. **MOTION CARRIED. RES#17-154**

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

**Resolution – Approve May 2017 Zoning Report for Stark County Auditor:** Trustee Shafer motioned to approve the May 2017 Zoning Report for Stark County Auditor seconded by Trustee Bosley. **MOTION CARRIED. RES#17-155**

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

**Resolution – Declare 5414 Louisville St. Parcel #33-09442, a nuisance and abate the property for high grass, vehicles, insecure building, tires, & solid waste, place all related costs on the tax duplicate in compliance with ORC 505.87:** Trustee Shafer motioned to Declare 5414 Louisville St. Parcel #33-09442, a nuisance and abate the property for high grass, vehicles, insecure building, tires, & solid waste, place all related costs on the tax duplicate in compliance with ORC 505.87 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-156**

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

**Resolution – Declare lot on Hooverdale, Parcel #33-02763, a nuisance and abate the property for high grass, place all related costs on the tax duplicate in compliance with ORC 505.87:** Trustee Shafer motioned to Declare lot on Hooverdale, Parcel #33-02763, a nuisance and abate the property for high grass, place all related costs on the tax duplicate in compliance with ORC 505.87 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-157**

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

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

**Resolution:** Trustee Shafer motioned to approve transfer \$6,000 from 04 – B – 02 (*Materials*) to 04 – A – 10 B (*Commercial Insurance*) seconded by Trustee Bosley. **MOTION CARRIED. RES#17-158**

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

**Resolution:** Trustee Shafer motioned to approve transfer \$6,000 from 04 – B – 03 (*Contracts*) to 04 – A – 10 B (*Commercial Insurance*) seconded by Trustee Bosley. **MOTION CARRIED. RES#17-159**

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

Discussion – Trustee Bosley asked Fiscal Officer Brian Kandel to explain to the audience the purpose of the transfers. Fiscal Officer Kandel explained that each expense has a specific fund it has to come out of. The Commercial Insurance fund for the Road Dept. is the only fund the expense can come out of and each account is charge specific. Fiscal Officer Kandel informed the Board of an error he made. There are 2 04-A-10 accounts, he funded one of the accounts and not the other. Trustee Bosley asked why the funds are transferred. Fiscal Officer Kandel stated because each account is expense related, only specific things can be paid out of that account.

**CONCERNS OF CITIZENS:**

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

- Concerned about discussion at last meeting
- South Side of Francesca
- Meeting minutes

Discussion – Ms. Fuller informed the Board that she is concerned about the discussions that took place last meeting regarding the presentation from Dawne Friedman about the Francesca Project. Ms. Fuller informs the Board that she would like to see teamwork & respect from the Board and township employees at the meetings. Ms. Fuller informed the Board that she is concerned with the information in the meeting minutes because it's only an outline and in order for residents to get any information they must come to a meeting or buy a tape.

**Jim Duplain of 4320 Swallen** stepped to the podium regarding:

- Swallen property drainage
- High grass of a property on Swallen

Discussion – Mr. Duplain asked the Board for an update regarding the drainage project for a property on the 4300 block of Swallen. Trustee Bosley stated that he hasn't any update regarding that project.

Discussion – Mr. Duplain asked the Board why the high grass and debris at a property on Swallen hasn't been taken care of. Zoning Inspector Dale Rigggenbach stated the he has contacted the Health Dept. regarding the rats, he has contact Mahon and Lucas Harris for quotes. He used Lucas Harris last year. Mr. Rigggenbach informed the Board he had sent an email update to the Board regarding what has been done & the quote from Lucas Harris. Mr. Harris informed Mr. Rigggenbach the once he receives the go ahead, he can go to the property in 5 working days. Discussion was held regarding the legal process about notifying property owners of their property being declared a nuisance.

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

- Update on neighbor's Conditional Use Permit

Discussion – Mr. Kraus asked Zoning Inspector Dale Rigggenbach if there is any update regarding his neighbor's Conditional Use Permit. Mr. Rigggenbach stated that he has not heard anything, it is in the hands of the attorneys, it has been turned over to the Prosecutors office for some time. Trustee Lynch asked Dale to follow-up on it for any information.

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

**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 7:27 p.m. seconded by Trustee Bosley. **MOTION CARRIED. RES#17-160**

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 7:56 p.m. and resume this regular meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#17-161**

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

Discussion – Upon returning from Executive Session, Trustee Shafer stated the Board as agreed to advertise on Indeed.com for the Road Superintendent position for 2 weeks.

**Resolution – Advertise on Indeed.com for two weeks for Road Superintendent:** Trustee Shafer motioned to advertise on Indeed.com for two weeks for Road Superintendent seconded by Trustee Bosley. **MOTION CARRIED. RES#17-162**

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

Discussion – Prior to approving the meeting minutes, Trustee Bosley informed the Board that he had received an email from a resident who still doesn't feel there is enough in the minutes. Trustee Bosley stated that he knows that in the past it's to summarize or point in a direction of the tapes of what is going on. He feels that it's better than it has been and it doesn't have to be word for word but feels it needs to be real descriptive. Township Secretary Shelby Dieffenbaugher informs the Board that while listening to the recording, it is difficult when the Board is all talking at once to try and decipher who said what and she doesn't want to put something incorrect in the minutes. Ms.

Dieffenbaugher reminds the Board that the minutes are sent out to everyone prior to the meeting for them to review and if any changes or corrections are need they can be made. Trustee Shafer stated that Ms. Dieffenbaugher has done a good job and she knows that there have been requests to beef up the minutes, which she believes has been done. Trustee Shafer stated the minutes are not a transcript and the meetings are recorded for anyone who would like a tape. Discussion followed.

**Resolution – Approve Minutes for May 24, 2017 Meeting:** Trustee Shafer motioned to approve the written minutes for May 24, 2017 Meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#17-163**

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 \$25,355.86 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-164**

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

Discussion – Trustee Shafer informed the audience the Board approved at the last meeting to advertise for bids to be opened on August 10 for the South side of Francesca. Trustee Shafer discussed with the Board and the audience about the presentation from last meeting regarding the Francesca Ditch project. Trustee Shafer stated that it was clear on the tape that it was 1,000 ft. of pipe and discussed information from past meeting minutes. Discussion was held regarding the plans for closed ditches. Trustee Shafer informed the audience the Township does have a permit for culverts. Discussion of the process for obtaining a culvert permit. Trustee Shafer informed resident Dawne Friedman that she can come up after the meeting to review the information she has. Much discussion followed regarding a cancelled order from March 2006. Discussion followed regarding the different size culvert pipes between Dawne and her neighbors.

**Resolution – Sign Checks and Adjourn:** Trustee Shafer motioned to sign checks and adjourn at 8:19 p.m. seconded by Trustee Bosley. **MOTION CARRIED. RES#17-165**

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