

**RES#17-\_\_\_\_\_**  
**NIMISHILLEN TOWNSHIP BOARD OF TRUSTEES**  
**Township Hall: 4422 Maplegrove NE, Louisville, OH 44641**  
**November 9, 2017**

On Thursday, November 9, 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 gave the invocation. Trustee Lynch also congratulated the 2 new Township Trustees, George Kiko and Jennifer Leone.

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

**Resolution – Approve October 2017 Fire Report:** Trustee Shafer motioned to approve the October 2017 Fire Report seconded by Trustee Bosley. **MOTION CARRIED. RES#17-271**

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

Discussion – Chief Peterson asked the Board to Promote Adam Gladysz to Fire Captain/Paramedic. Chief Peterson informed the Board and the audience that Adam has excelled in his life and in his Fire/EMS life as well. Adam is the only one who has met the minimum qualifications for this position. Adam started his journey his junior year of high school when he decided to attend Stark State College graduating with Fire Training and EMS certification, as well as the Paramedic Training. Chief Peterson said that Adam doesn't wait for someone to ask him to do something, he comes to you. Adam has done a remarkable job for the Township and he is the future for Nimishillen Township. Chief Peterson thanked Adam's wife and his family.

**Resolution – Promote Firefighter/Paramedic Adam Gladysz to Fire Captain/Paramedic effective 11/11/2017:** Trustee Shafer motioned to Promote Firefighter/Paramedic Adam Gladysz to Fire Captain/Paramedic effective 11/11/2017 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-272**

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

**ROAD DEPARTMENT:** *(Matt Dieffenbaugher, Rd. Superintendent)*

**Resolution – Approve November 9, 2017 Road Report:** Trustee Shafer motioned to approve the Road Report for November 9, 2017 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-273**

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

Discussion – Road Superintendent Matt Dieffenbaugher informed the Board it is time to approve the 2017-2018 Seasonal Weight Restrictions from the County Engineer. Mr. Dieffenbaugher informed the Board the list would be the same as last year's but he would like to add Eshelman between Meese Rd. & SR 153. Mr. Dieffenbaugher stated that he has traveled the roads to make sure the signs were up and he has ordered the missing signs. The Board agreed to add Eshelman to the list.

**Resolution – Approve Seasonal Weight Restrictions for 2017-2018:** Trustee Shafer motioned to approve Seasonal Weight Restrictions for 2017-2018 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-274**

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

Discussion – Road Superintendent Matt Dieffenbaugher informed the Board the Paving Program has started. As long as the weather is nice enough they will continue to pave this week. Mr. Dieffenbaugher stated that Canaan Acres and Morning Star have been completed. The Board thanked Mr. Dieffenbaugher for the update.

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

**Resolution – Approve November 9, 2017 Zoning Report:** Trustee Shafer motioned to approve the November 9, 2017 Zoning Report seconded by Trustee Bosley. **MOTION CARRIED. RES#17-275**

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

**Resolution – Approve October 2017 Zoning Report for Stark County Auditor:** Trustee Shafer motioned to approve the October 2017 Zoning Report for Stark County Auditor seconded by Trustee Bosley. **MOTION CARRIED. RES#17-276**

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

Discussion – Zoning Inspector Dale Riggerbach informed the Board that he thinks 4200 Victory is under new ownership. He has talked with the Representative and Mr. Riggerbach believes he will work with us. Discussion followed.

**Resolution – Declare 4200 Victory Ave. Parcel #33-08245, a nuisance and abate the property for solid waste, car, & car parts, place all related costs on the tax duplicate in compliance with ORC 505.87:** Trustee Shafer motioned to Declare 4200 Victory Ave. Parcel #33-08245, a nuisance and abate the property for solid waste, car, & car parts, place all related costs on the tax duplicate in compliance with ORC 505.87 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-277**

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

Discussion – Zoning Inspector Dale Riggerbach informed the Board that a Financial Institution has taken ownership of 5414 Louisville St. Mr. Riggerbach has been trying to work with Safeguard to get the property cleaned up. It has been cleaned up some. Mr. Riggerbach would like to try to get the bank to address the rest of the stuff on the property.

**Resolution – Declare 5414 Louisville St. Parcel #33-09442, a nuisance and abate the property for solid waste, tires, small motorhome, 2 unsecured accessory buildings, 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 solid waste, tires, small motorhome, 2 unsecured accessory buildings, place all related costs on the tax duplicate in compliance with ORC 505.87 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-278**

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

Discussion – Trustee Bosley stated that the Stark County Health Dept. offered to pay for the disposal of the tires on the property and when Jamie was here, he did not want to participate. Trustee Bosley asked Mr. Dieffenbaugher if he had any problems with it. Mr. Dieffenbaugher stated he wouldn't have a problem with it. Trustee Bosley explained all the Health Dept. wanted is a truck and they would pay for the disposal and supply people to help. Discussion was held regarding the number of tires on the property. Discussion was held regarding who is responsible for the cost of labor for the township. Trustee Bosley asked Mr. Dieffenbaugher to contact Phil Revlock from the Stark County Health Dept.

Discussion – Trustee Bosley asked the Board to postpone the next nuisance for a lot on Louisville St. until the next meeting. Trustee Bosley spoke with Mr. Crawford and he will be removing the bus. Trustee Bosley stated that if Mr. Crawford doesn't do it than the Board should take immediate action, but Mr. Crawford said he would remove the bus and all of the other stuff out of there. Trustee Shafer asked the Board to pass this resolution as a precaution because this has happened before and the bus is still there. That way if not action is taken than this step is already done. Trustee Bosley stated that he would not vote for this tonight. Discussion followed.

**Resolution – Declare Louisville St. Parcel #33-07360, a nuisance and abate the property for inoperable vehicle (transit bus), place all related costs on the tax duplicate in compliance with ORC 505.87:** Trustee Shafer motioned to Declare Louisville St. Parcel #33-07360, a nuisance and abate the property for inoperable vehicle (transit bus), place all related costs on the tax duplicate in compliance with ORC 505.87 seconded by Trustee Lynch. **MOTION CARRIED. RES#17-279**

Roll call voting: Mrs. Shafer – YES; Mr. Lynch – YES; Mr. Bosley – NO

**FISCAL OFFICER:** (Brian Kandel)

**Resolution:** Trustee Shafer motioned to approve transfer \$1,000 from 01 – A – 19 (State Examiners Charges) to 01 – J – 02 (Supplies) seconded by Trustee Lynch. **MOTION CARRIED. RES#17-280**

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

**Resolution:** Trustee Shafer motioned to approve transfer \$3,000 from 10 – A – 10 (Repairs) to 10 – A – 15 (Other Expenses) seconded by Trustee Bosley. **MOTION CARRIED. RES#17-281**

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

**Resolution:** Trustee Shafer motioned to approve transfer \$5,000 from 28 – A – 07 (Repairs) to 28 – A – 09 (Other Expenses) seconded by Trustee Bosley. **MOTION CARRIED. RES#17-282**

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

Discussion – Fiscal Officer Brian Kandel stated the Board has discussed transferring the Township financial accounting software to UAN. UAN is a software developed by the State Auditor's office. The current software the Township uses is a DOS based software, which has reached its end of life. Mr. Kandel stated the by transferring to UAN, they will get much better reporting, they can report by department, which is not something that can be done now. UAN increased efficiency for the Township. The expenses for UAN are based on budget size. The Township would be \$255 per month with a \$50 equipment fee. This includes software, computer, and a printer. Then after 2 years the Township will keep the printer and will receive a new one. The Board agreed to transfer to UAN.

**Resolution – Authorize the Fiscal Officer to Participate in the Ohio Auditor of State's Uniform Accounting Network:** Trustee Shafer motioned to Authorize the Fiscal Officer to Participate in the Ohio Auditor of State's Uniform Accounting Network seconded by Trustee Bosley. **MOTION CARRIED. RES#17-283**

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

**CONCERNS OF CITIZENS:**

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

- Plain Township Breakfast for Veterans

Discussion – Mr. Morris informed the Board of a breakfast for Veterans at the central Fire Station in Plain Township.

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

- Notary License
- Buildings in front yard
- Rule about leaves & burning
- Congrats to the new Trustees

Discussion – Ms. Fuller asked the Board if it would be a good idea to have Shelby, the Township Secretary, get a notary license. The Board informed Ms. Fuller that Sandy, the new Assistant Fiscal Officer, has her notary license. Ms. Fuller wanted to know why Dale had to go to Huntington Bank for something. Dale explained that he had to go to Huntington Bank to get something notarized because Sandy did not have her stamp yet. Ms. Fuller held a discussion with the Board and Zoning Inspector Dale Riegenbach regarding the rule about burning leaves. Ms. Fuller congratulated the 2 new Trustees recently elected.

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

Discussion – Trustee Bosley informed the Board and the audience about a Thank you letter he received that was stamp dated November 3, 2017. The letter was addressed to the Township’s P.O. Box with his name on it and the letter was opened. Trustee Bosley was very frustrated that a personal letter was opened and it shouldn’t have been. Trustee Bosley stated he would like to open anything with his name on it from now on.

**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 7:32 p.m. seconded by Trustee Bosley. **MOTION CARRIED. RES#17-284**

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 8:02 p.m. and resume this regular meeting seconded by Trustee Bosley. **MOTION CARRIED. RES#17-285**

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

Discussion – Upon returning from Executive Session, the Board appointed new members to the Board of Zoning Appeals.

**Resolution – Appoint Jim Morris for the Zoning Board of Appeals for a term starting 1/1/2018 through 12/31/2022:** Trustee Shafer motioned to Appoint Jim Morris for the Zoning Board of Appeals for a term starting 1/1/2018 through 12/31/2022 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-286**

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

**Resolution – Appoint Bill Jeffries for the Zoning Board of Appeals starting 11/9/2017 through 12/31/2021:** Trustee Shafer motioned to Appoint Bill Jeffries for the Zoning Board of Appeals starting 11/9/2017 through 12/31/2021 seconded by Trustee Lynch. **MOTION CARRIED. RES#17-287**

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

Discussion – Trustee Bosley informed the Board his decision to abstain from voting for Bill Jeffries was because of their business relationship.

Discussion – Trustee Bosley explained to the audience of the next candidate has decided to move from his current seat as the Alternate on the Board of Zoning Appeals to the open seat on the Zoning Commission. Trustee Bosley thanked Mr. Davis for doing this.

**Resolution – Appoint Tom Davis for the Zoning Commission starting 1/1/2018 through 12/31/2022:** Trustee Shafer motioned to Appoint Tom Davis for the Zoning Commission starting 1/1/2018 through 12/31/2022 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-288**  
Roll call voting: Mrs. Shafer – YES; Mr. Lynch – YES; Mr. Bosley – YES

Discussion – Trustee Bosley stated after the first of the year they will need to advertise for the Alternate position on the BZA. Trustee Shafer asked Trustee Bosley if he would like to advertise now. Trustee Bosley stated that he would like to check with the Prosecutor to see if Mr. Davis can serve on both boards before advertising.

**Resolution – Approve Minutes for October 26, 2017 Meeting:** Trustee Bosley motioned to approve the written minutes for October 26, 2017 Meeting seconded by Trustee Shafer. **MOTION CARRIED. RES#17-289**  
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 \$247,208.38 seconded by Trustee Bosley. **MOTION CARRIED. RES#17-290**  
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 8:10 p.m. seconded by Trustee Bosley. **MOTION CARRIED. RES#17-291**  
Roll call voting: Mrs. Shafer – YES; Mr. Lynch – YES; Mr. Bosley – YES

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ATTEST: Brian Kandel, Fiscal Officer

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Michael L. Lynch, President

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Todd D. Bosley, Vice President

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Lisa R. Shafer, Trustee  
Nimishillen Township Board of Trustees