

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

APRIL 28, 2008

Pizzino called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Neftzer present.

Pizzino moved and Burger seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) – Interview part-time patrol officer applicants. **3-0 yes**

Upon return from Executive Session, Pizzino opened the Work Session at 5:00 p.m. with Heck, Poindexter and Ruwadi present.

Work Session

Fire Department

Chief Heck explained some of the differences in the different models of ambulances and some of the changes that have been made in the past. The Board viewed the new ambulance.

Chief Heck explained the problems and some options that will be available regarding ambulance billing for transports from Aultman Woodlawn to Aultman Hospital. Medicare has been denying the claims. Objections have been filed with Medicare, the claims have been denied and we are now in the second stage of the appeals. He explained what the Board's options would be if the claims are denied at this stage.

Chief Heck told the Board that the new ambulance is going to Station 3. Station 3 squad will go to Station 1. The 1999 unit that is at Station 1 will be removed from service and recommended to the Board that it be sold to Stark State College for the Fire Science Program.

ATTACHMENT 04/28/08 A

Pizzino moved and Burger seconded a motion to adopt and authorize the placement of the Board members signatures upon the attached Agreement with Stark State College. **3-0 yes**

Gonzalez pointed out that in nursing homes some of the people are from out of the township and when they pass away, Jackson Township gets the inheritance tax.

Chief Heck said residents of nursing homes and assisted living have been treated as Township residents which determines the type of billing on ambulance runs.

Gonzalez said a lady passed away and left \$486,000.00 in inheritance tax. He said he went to the web site and tried to find an obituary but couldn't find anything. He said he wanted to contact the family to offer some type of memorial. Pizzino pointed out that we do provide them with

good service. Chief Heck said probably about a third of Station 5's runs is involved with assisted living or nursing facilities in their district.

Zoning Department

Poindexter presented to the Board calculations for temporary sign permits. This included the number of sign permits issued, the price per permit and the total fees collected for 2006 and 2007. It also included in the history the number of times per year a temporary sign permit could be issued and the cost at that time.

There was some discussion on how the temporary sign permit can be applied. Poindexter explained that the resolution allows the applicant to have a temporary sign for 15 consecutive days, four times a year but only once per calendar month.

There was some additional discussion on different options that could be taken.

Walters moved and Pizzino seconded a motion to change the \$60.00 temporary sign fee to \$30.00 for 15 days, four times per year. **3-0 yes**

Yard Waste Legislation

ATTACHMENT 04/28/08 D

Lyon presented a memo prepared by Ralph Boger to the Board which compared operations of other local agencies and Jackson Township's yard debris drop off areas. Pizzino said he would like to see it continue to be open seven days a week but suggested a change in hours to give the Highway Department a chance to clean up before people start arriving. He said the provision for fining commercial operations should be enforced. Chief Neftzer said it was easier to enforce when only residents were using the drop off site. He said that since it has been opened up it's not easy to differentiate unless it's obvious that it's a commercial business. He said it can be enforced but it's not as simple as it used to be.

Pizzino moved and Walters seconded a motion pursuant to clause C of the yard waste legislation as attached, that the hours of operation be changed to May 1 through October 31, 8:00 a.m. to 8:00 p.m. and from November 1 through April 30, 8:00 a.m. to 5:00 p.m. **3-0 yes**

At 6:00 p.m., Pizzino called the General Session to order with all department heads present. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Administration Department

ATTACHMENT 04/28/08 D

Pizzino moved and Walters seconded a motion to approve the Division of Liquor Control, F Permit Application, for the 2008 Jackson Community Celebration. **3-0 yes**

ATTACHMENT 04/28/08 E

Walters moved and Pizzino seconded a motion to re-structure the position of Administration Personnel Assistant/Ambulance Billing Specialist, from one full-time shared position to separate full-time positions, with the current classification, Class C, in the Benefit Package for the Management Personnel, to establish a salary range of \$28,000 to \$30,000 for the position of Administrative Personnel Assistant, and to authorize advertising for the position. **3-0 yes**

ATTACHMENT 04/28/08 F

Walters moved and Burger seconded a motion to accept the donation of a Dell Power Edge 4600 File Server with an approximate value of \$1,500.00 from NEO Digital. **3-0 yes**

Public Speaks

I'm William Healy, Mayor of Canton, Ohio. I just wanted to address the Board of the Township in reference to a recent news story about annexation and some other things in reference to the direction that we want to go with economic development. I had an interview with a reporter and we talked about. . .

Gonzalez: Mayor, could I interrupt, I'm having a problem with this. Is there a blue light on down there?

Healy: Yes, the blue is on.

Gonzalez: There we go.

Healy: Okay. Thank you. Can you hear me now?

Gonzalez: They couldn't hear you in the back. We'd like to make sure the media hears this.

Healy: Thank you. No, no, no. And that's my story. Thank you. Actually, I had an interview and they did a story about me as the new mayor and some of the ideas and plans that we had and a very brief part of that meeting, I was asked what my plans were for annexation. And my comment was we're going to be open to annexation, we're not going to annex just to annex, but certainly we're going to look at any and every opportunity that's out there for our community and the follow up question was well does that include Jackson Township. And I said well that would include Jackson as well as any direction but quite frankly with the CEDA's and JEDD's and the programs that are out there today, annexation is quite a bit different than it has been in the past where it was really a confrontation between cities and townships. Now the opportunity is there to benefit both communities. And I think that if there are opportunities out there that present themselves that help your community and ours because the law allows us to do different things there may be circumstances. You have natural partners with communities that border you now and whether or not Canton is ever in a position to do something, we certain would explore that. But, in no way, shape or form, did our conversation have anything in reference to I'm planning on annexing Jackson Township or any specific issue. It wasn't an area of action in place, it wasn't anything along those lines. I received many, many phone calls. I know that you probably had also. I thought it was quite interesting that the tickler in the vending machine, I

don't know if any of you have seen those, but the tickler says something along the lines of 'Canton plans to annex Jackson Township' or some parts of it or something. Annexation in Jackson, which I thought was quite misleading considering the conversation. Now if you also had looked at the attached article that they were referring to there were no specifics of anything of any kind. I don't know if you had a chance to read that or not. It was very generic comments that said you know, well, yes, we're going to explore opportunities in all directions. So just from a standpoint of peace of mind, we're not coming in with the evil empire trying to take over the land. But at the same time I would also like to extend the invitation that if there is an opportunity out there that you could see where the City of Canton may be helpful to areas of your community and a partnership makes sense, we'd certainly like to explore that. But that offer is going to be to every area surrounding our community. I think that it behooves all of us to start thinking more in a regional state of mind. What happens downtown Canton affects you, what happens up here certainly affects us. What happens to Massillon and Alliance and at the airport and the other surrounding areas, we all feed off of those successes and failures. And so we want to make sure that we have wonderful relationship and we're looking at the big picture as well as our own communities that we're responsible for. Today I came to clarify that because I received hundreds of phone calls for areas in Jackson Township that want to annex into Canton. I'm kidding. We did get some calls and questions. I wanted to make sure you were clear on where that came from.

Pizzino: Well, we appreciate you coming in and again, I, as I told our administrator and this Board, that we did sit down and we had a nice talk with you right after you were elected into office. We are willing to work with any government entity that wants to work with us. Hopefully, we could do something down the road with maybe our economic development, maybe something would help us and help you. Or any other municipality or government entity so we're thinking what you're thinking. We do appreciate you coming in because we were a little concerned about that. I told Randy, I said, gee, the meeting that you and I are in with the Mayor, I don't think that was part of the meeting. So Randy I'm sure made a phone call to you. We were very concerned and we thought you were misquoted and it's obvious after talking to Randy, he did talk to the reporter, and everything that Randy told this reporter never got in the paper. So that paper just kind of, in our opinion, stirred up a hornet's nest and it's untrue.

Healy: Well, Mr. Chairman, if you would, I just think that it was a chance for them to try to sensationalize the conversation. When I make the comment that yes, we're interested in all areas, he's reporting for Jackson Township and said, hey, what about us and well, sure. I think that was a way for them to highlight that. But if you look at the story I don't think there's anything that was actually printed in the actual story that's anything different than the conversation that you and I had or that I had with Randy or any others.

Gonzalez: Actually, the comment in there was appropriate when you said it's time to work with the townships rather than the old days of fighting with the townships and I think that is in line with all the conversations and all the things that we've had on the table, I think what you said about working on development together is absolutely what we're all stressing. If we could market a company into Stark County and that happens to be Jackson Township and the City of Canton and we can create jobs to boost our economy, I think we all want to do that. I think our Board is on board with that and you and your council, I believe, are too.

Healy: We had conversations with the airport and talked about that exact thing. That there are opportunities that we have in the City of Canton that we don't have the right land or the right set up but maybe they do if they want to be by the airport. And so just knowing what their needs are, their goals are, if we can find a large corporation that wants to locate next to the airport, it may not be in the City of Canton, but we can create a lot of jobs for our citizens. So we're willing to look at any and every opportunity, as I stated, and if by chance you guys do want to annex the whole Jackson Township into us, you know, we'll talk. No seriously, I'm looking forward to a great relationship with you and if we can improve our communities then we're here and I know you are. Thank you.

Pizzino: Thank you, Mayor.

Walters: Mayor, I also appreciate you coming in. It's obviously an issue that's not going to go away. In fact, I think, the first question I was asked in the first news article after I sworn in was how do you feel about working with surrounding communities in terms of these types of partnerships. So, the same exact thing and Mr. Pizzino stated it well, I mean, that's certainly my feeling as a Trustee is that we need to work with our surrounding communities when it's to the benefit of both our communities. So I want to make sure as Mr. Pizzino pointed out, we want to make sure that the correct message is getting out to the public so we appreciate you coming in.

Healy: Thank you. And just one last comment, too, is when it comes to the 911 system and understanding the importance of having one system for the county, the city is looking at the Health Department's to try to create one Health Department with the County, we would consider the Building Department and other areas that make sense. I talked to business owners, big business owners, small business owners, potential businesses in the area and they indicate the difficulties that they have when they come into a region where they think they understand what your zoning is and then all of a sudden the property find is three blocks outside of Jackson Township and it has different zoning requirements and the different code and building departments they have to attend and so we'd like to look at opportunities to help streamline the community and when I say the community, I'm talking about our region, the County and so on, so that we have uniform policies and rules to make it easier and more attractive to attract businesses and job creation. And I think that's something that we all need to take a look at. How we can that and 911 is a perfect example of how to streamline and I think that's something in the works that is going to be great for all of us. We're going to look at those things, too, in my administration. And, again, anytime you have an issue, please call. We're here.

Pizzino: Again, thank you, Mayor, for coming in.

Burger: Thank you.

Healy: Thank you for your time. Appreciate it.

Walters: Thank you.

Gonzalez: Thanks for coming in.

Fire Department

ATTACHMENT 04/28/08 G

Pizzino moved and Burger seconded a motion to approve Budget Module No. 08-26 for portable radio replacement in the amount of \$8,400.00. **3-0 yes**

ATTACHMENT 04/28/08 H

Pizzino moved and Walters seconded a motion to approve Budget Module No. 08-27 for distant learning equipment in the amount of \$44,000.00. **3-0 yes**

ATTACHMENT 04/28/08 I

Pizzino moved and Walters seconded a motion to approve Budget Module No. 08-28 for a file server in the amount of \$11,000.00. **3-0 yes**

ATTACHMENT 04/28/08 J

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Cont. & Disc., to account code 210.210.5652, Inv. Equipment, in the amount of \$63,400.00 and from account code 210.210.5220, Hospitalization, to account code 210.210.5527, Diesel Fuel, in the amount of \$20,000.00. **3-0 yes**

ATTACHMENT 04/28/08 K

Pizzino moved and Walters seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Disc. & Cont., to account code 210.210.5310, Ed. Registrations, in the amount of \$10,000.00 and from account code 210.210.5387, Disc. & Cont., to account code 210.210.5319, Ed. Tuition, in the amount of \$6,000.00. **3-0 yes**

Highway Department

ATTACHMENT 04/28/08 L

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5604, Hills & Dales Village, in the amount of \$2,257.16. **3-0 yes**

Legal Department

ATTACHMENT 04/28/08 M

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Community Celebration Band Agreement. **3-0 yes**

RESOLUTION 08-012, ATTACHED

Walters moved and Pizzino seconded a motion to approve the resolution for Illicit Discharge and Illegal Connection Controls. **3-0 yes**

RESOLUTION 08-013, ATTACHED

Pizzino moved and Walters seconded a motion to adopt and authorize the placement of our signatures upon the attached Memorandum of Understanding with the Stark County Health District. **3-0 yes**

Park Department

ATTACHMENT 04/28/08 N

Walters moved and Pizzino seconded a motion to hire Joshua Kumpf as a seasonal park programming assistant (fourth year), through the temporary service, subject to a negative drug screen, at the rate of \$8.35 per hour, effective May 5, 2008, per the recommendation of the Park/Operations Director. **3-0 yes**

Walters moved and Pizzino seconded a motion to hire Jennifer Wickerham as a seasonal park programming assistant (second year), through the temporary service, subject to a negative drug screen, at the rate of \$7.35 per hour, effective May 19, 2008, per the recommendation of the Park/Operations Director. **3-0 yes**

Walters moved and Pizzino seconded a motion to hire Erin Ward as a seasonal park programming assistant (second year), through the temporary service, subject to a negative drug screen, at the rate of \$7.35 per hour, effective May 12, 2008, per the recommendation of the Park/Operations Director. **3-0 yes**

Police Department

ATTACHMENT 04/28/08 O

Walters moved and Burgers seconded a motion whereas, the Congress and President of the United States have designated May 15 as Peace Officers Memorial Day, and the week in which May 15 falls as National Police Week; and

Whereas, the members of the law enforcement agency of Jackson Township play an essential role in safeguarding the rights and freedoms of Jackson Township; and

Whereas, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence an disorder, and by protecting the innocent against deception and the weak against oppression; and

Whereas, the men and women of the law enforcement agency of Jackson Township unceasingly provide a vital public service.

Now therefore be it resolved that we, the duly elected Board of Trustees of Jackson Township, Stark County, Ohio, call upon all citizens of Jackson Township and upon all patriotic, civic and educational organizations to observe the week of May 11 – 17, 2008, as Police Week and appropriate ceremonies and observances in which all of our people may join in commemorating

law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Be it further resolved that we hereby proclaim Thursday, May 15th, as Peace Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes by lowering Township flags to half staff on May 15, 2008. **3-0 yes**

RESOLUTION 08-014, ATTACHED

Walters moved and Burger seconded a motion pursuant to ORC Section 505.49 and 509.01, we hereby appoint the attached listed individuals as Part Time Patrol Officers and Township Constables for the Jackson Township Police District, Stark County, Ohio, contingent upon providing proof of Ohio Peace Officer Training Academy certification, successful completion of the psychological and physical evaluation, background check, negative drug screen and any other testing requirements. **3-0 yes**

Fiscal Office

ATTACHMENT 04/28/08 P

Walters moved and Burgers seconded a motion to pay the bills in the amount of \$781,318.52. **3-0 yes**

ATTACHMENT 04/28/08 Q

Pizzino moved and Walters seconded a motion to approve the minutes of the April 14 and April 22, 2008 Board of Trustees meetings. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, May 12, 2008, 4:00 p.m., Executive and/or Work Session; 6:00 p.m., General Session, Township Hall.
- LOGIC, May 1, 2008, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, May 19, 2008, 5:30 p.m., Township Hall.
- Board of Zoning Appeals:
 - May 8, 2008, 7:00 p.m., Township Hall.
 - June 26, 2008, 7:00 p.m., Township Hall.

- Citizens Advisory Committee:
 - Community Celebration, May 13, 2008, 5:30 p.m., Township Hall.
 - Park, May 13, 2008, 6:30 p.m., Township Hall.
 - Highway/Traffic, May 22, 2008, 6:30 p.m., Township Hall.

New Business

ATTACHMENT 04/28/08 R

Pizzino moved and Burger seconded a motion not to request a hearing on the liquor license to Wal Mart Stores East LP, dba Store 2361, 4572 Mega Street NW. **3-0 yes**

Pizzino moved and Walters seconded a motion to accept a \$120.00 donation to the Park Department from Jackson Girls Softball League, Inc. **3-0 yes**

Public Speaks – Open Forum

Ruthanne Wilkof, I'm a Jackson Township resident as well as President and CEO of the Jackson Belden Chamber of Commerce. According to Mayor Healy's explanation of Canton versus Jackson Township will there be a retraction in the Jackson Observer with the headlines just like it read before?

Pizzino: Well, you're asking the wrong person. We don't own the papers. It obviously was a misprint or they didn't understand what the Mayor was saying. As I said earlier, after I talked with Mr. Gonzalez, he gave them an interview also and Randy says they didn't put anything he said in that article at all. So, I would hope that the Observer would correct that mistake but I can't tell you if they're going to or not.

Wilkof: Okay. Well, I feel horrible about this because I'm one of the people that resurrected this so-called Jackson Township newspaper and it's anything but a Jackson Township publication. So I really, really hope that they would make a retraction that's just as big as life as the incorrect headline read.

Pizzino: I really want to thank Mayor Healy for coming in.

Wilkof: I do, too.

Pizzino: Whoever read that article they got the impression that the city was going to take over. And that's the farthest thing from the truth.

Wilkof: Right. I agree.

Gonzalez: If I could comment on that. I was called by their reporter because Mr. Pizzino and myself started a negotiation with Canton. Obviously, because of the Sunshine Laws we're limited to the whole Board going, it has to be one or many times, the Fiscal Officer will go and then I can report to all three Board members. But in this case after hearing what Mr. Healy said the reporter from the newspaper called me and said what do you think about Canton's annexation. And I said, you know, we've discussed an agreement it's not really annexation per se it's an agreed annexation and it would be a joint effort where we would work on things together and the Township would still remain the Township, it would never become part of McKinley Township and the City of Canton it may become. But I said I really can't go into it in too much depth because we have agreements out there that are not completely negotiated yet. I explained the whole thing and the reporter just didn't want to hear any part that it was not any part of annexation and never wrote a word of our conversation. I sat at my dinner table and had that conversation with him.

Pizzino: We thank you for coming up.

Wilkof: Thank you.

Walters moved and Burger seconded a motion to adjourn.

3-0 yes

John Pizzino

Randy Gonzalez