

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

AUGUST 8, 2005

Burger called the meeting to order at 4:10 p.m. at the Jackson Township Hall with all Trustees, Clerk, Lyon, Fitzgerald and Neftzer present.

Pizzino moved and Meeks seconded a motion to go into Executive Session for Police Personnel (Appointment/Employment/Compensation) – Interview Secretary 3 Applicant. **3-0 yes**

Pizzino moved and Meeks seconded a motion to go into Executive Session for Zoning Personnel (Appointment/Employment/Compensation) – Interview Zoning Data Coordinator Applicant. **3-0 yes**

Upon return from Executive Session, Burger opened the Work Session at 4:45 p.m.

Moore reported that Crawford sent an Electrical Engineer to assess the damage caused by the lightning strikes at the Safety Center. In the Engineer's opinion, the grounds have not been run properly for the building or the tower. Moore has started to get quotes for getting the grounding repaired based on the Engineer's preliminary recommendations.

ATTACHMENT 8/8/05 A

Gonzalez presented a letter from Dr. Murli Manohar, representing the Belden Court South Association, which presented problems with the SARTA transfer station at Higbee and Holiday Streets. Ron Revlock with the Zoning Dept. has been trying to locate available sites in the Township and suggested several alternate locations. There was some discussion of other possible locations. Gonzalez will get back with Dr. Manohar and SARTA regarding the transfer station.

Gonzalez reminded the Trustees that under the new budget bill there are several ways of bringing money in for regionalized issues. He suggested that in the future the Board might like to talk with Bill Franks, head of the Stark County Health Department, to discuss some of the issues brought up by the recent newspaper article regarding restaurant inspections and to get his thoughts on merging the Health Departments in Stark County so they would be more consistent.

Gonzalez reported that in response to the news articles last week, he provided Chief Heck with copies of information from 1994-95 which was the last study done by SCOG for regionalized dispatch. Pizzino said that due to the recent funding issue, the Red Center needs to know before they proceed with the radio update if the emergency dispatching is to remain regionalized or not, and which entities will be staying with them. The Red Center is currently trying to get a three year commitment from current participants. Although everyone is happy with the service, money is tight. Gonzalez asked the Board if Chief Heck could take the lead in pursuing regionalized dispatching. Pizzino affirmed that everyone on the LOGIC Board is in favor of regionalization. Gonzalez warned that if they don't get started on a county-wide effort, we could

miss out on a lot of money. He suggested utilizing the 911 Levy and Homeland Security money towards county-wide communications. He asked if the Board would support Chief Heck in taking the lead in this area, since he is one of the most respected individuals about this issue. All Board members acknowledged yes. There was additional discussion on future possibilities.

Gonzalez also brought up the Building Department which was another area looked at in regard to regionalization. Tracy Hogue has some issues about this subject. Gonzalez suggested the Board put this on a Work Session in the future.

Gonzalez: Alternative sources of funding, we can probably discuss that, with Ted's more or less, but this budget bill and I'm looking at Ted's potential shortfall. The Police Levy is going to be okay because the Police Levy will be, at least for four years; you're going to get your personal property tax. It's going to get reimbursed. Anything Ted does is going to be at a loss. So when Ted discusses the levy, he's going to have to discuss some type of extra millage to make up for the losses, which are going to be in the neighborhood of, I think it's \$150,000, in the first year from the loss of personal property taxes and because it's only levies that were passed before the budget bill, is why Harley's is OK. His is the last, there won't be any more after that. In 2006, Ted's going to lose \$132,000 from the personal property tax. In 2007, he's going to lose \$264,000, 2008 it will be up to \$397,000; by 2009 it will be a total loss of \$529,000 a year. So when you start looking at replacement levies obviously a replacement won't even replace it back to what it was because you're going to lose this amount over this four year period. I know that Steve has worked at numerous meetings with other people about alternative sources of funding and some grants are out there, but it's just not enough. We're at the point where the township form of government is just continually knocking at the door of the resident asking for more money and I just wanted to bring that up. I know you guys all know the same problem but it's going to get worse with every issue.

Meeks: It is going to get worse and you know we saw the difficulty with our Police Levy and it really opened the eyes, I think our eyes had always been open with the property tax and the levy dollars that are attacking that, but even more so this last time with the Police Levy and knowing that that is our only way of funding our township, police, fire, highway. You've got the schools that come after the voter in the property tax. We have got to look at alternative sources of funding. We are a township and townships across the state face the same thing, we do not have legislation in our favor to go out and generate any source of income to offset a property tax levy. That is one avenue that we've been talking with Senator Schuring on, of at least passing legislation for the large townships that can put it to the voter so that we can place it on the ballot so our residents can say whether they want or not a sales tax in their community. And what the sales tax would do, a one percent sales tax, in a township such as ours on very, very conservative numbers if you're looking at something like that, it's real difficult to get anybody to give you a straight up answer even the taxation department is real reluctant, but even with a sales tax in Belden Village or Jackson Township we, and again using conservative numbers, feel that we could do this and generate enough money to retire our Safety Levies, that's Police and Fire. Those are the ways that we need to think about offsetting the cost, taking the burden off our property owners, because if we can do that, our main concern is fixed income. It hits them the hardest. The other thing is the future of our schools. We have the luxury of having one of the best public school systems in the state of Ohio and people want to live in Jackson Township to

take advantage of that and we should not do anything to jeopardize the success of our school system. The other thing is, you know, I've been in many talks with neighboring communities about looking at partnering in different aspects of generating funds. Something that I thought that I would never say and I already told the mayors of neighboring communities that if you want to use the 'a' word, I'd be on the front line to fight you. But if you want to try to get together and let's talk in a cooperative effort let's look at how we can both benefit and the bottom line is the residents of Jackson Township being the winner by us not losing our ground through annexation but keeping our property tax, gaining another revenue source, and offsetting these costs, because I'll tell you, the only other alternative here and it isn't the answer to everything, but it is a very strong alternative and that is to incorporate. And that is the final decision that you would have to make to keep your community whole because if you don't do something now and we cannot wait until things are taken from us because if you wait until your bread and butter has been taken, you'll starve. We're not going to starve, I wouldn't stand by and let our township be picked apart without doing something and we are working very hard at trying to create, whether it's partnering with other communities or getting legislation changed. There isn't a day that doesn't go by that we're not in a conversation with the right people to make that happen.

Gonzalez: Now I guess, obviously, incorporation can solve a lot of the funding issues and I personally think it would be a good thing for the community but I don't think the public does. I think it's a tough sell so that leaves us with the other options. The idea of partnering with some of these other cities, and I just saw an article today where it was done successfully with Newark. If we don't start thinking of government differently and doing all the things we just discussed, from merging some of these things, spending less tax dollars, and finding alternative sources of funding we will be in trouble. I guess, in my job, both from years ago being a Trustee and now being a Clerk, this has really opened my eyes and from the Clerk's perspective, just how hard we need to work to get every alternative back to the voters. I told Ted as we discussed it today, I get as sick of asking the voters as they get as sick of hearing it, I mean, we all pay taxes too, it's not like we like it, it's just – we have to do something different.

Meeks: Well, the reality of it all is that through the cuts of the state that is going to be put on us in the next five years, pulling the monies away, like our inheritance money, we've been able to do so many positive things in our community that the community really appreciates. I hear that all the time whether it's through our parks, our safety, whatever it may be, our highways that we've been able to partner with, and once that money's gone then you're setting yourself up for a bare bones government. And if you do that there isn't the extra money to do the things that our comprehensive plan is stating should be done to protect and maintain the well-being of our township and that is why we're working very hard at looking at the alternative. And taking that burden again, I can't stress enough, we've got to find a way to take the burden off the property tax. Enough is enough; I don't want to see people leaving our community because they can't afford to live here. And I don't want to see our community going into reverse or regressing. It is a beautiful rural setting; we will do our darnedest to keep it that way and trying to find the best alternative for funding mechanism.

Pizzino: You know, years ago, Randy you might have been right, I'm sure it was a tough sell; it's obviously a tough sell because when you put that on, it lost like 70 to 30. But Chief Heck and I have talked about this also a number of times and we do have to find different funding

sources. Up in Summit County there are two or three townships now that have become a city, I think there's three of them now, counting Green. And, you know, you didn't hear anything about it. They're having the same growing pains we are. The cities that go around us, the only thing they can do since people are not going to the cities, the cities have to take the land, they have to take the income, the more income and land they take it's going to make our job even tougher. So we're going to have to educate the people to here's your choices, what do you want to do and we're all in this together and I think down the road we, and it's not too far down the road, we have a pretty tough choice. If Schuring cannot help us down in Columbus to find a different funding source, we just can't keep going back to the voters.

Meeks: No, we can't.

Gonzalez: That's one of the issues Steve and I were talking about when we've had these meetings with these other entities. The Coalition of Large Ohio Urban Townships was formed, largely started with Jackson Township, Marilyn actually came up with the name of it, and I think we have 40 members. I'm not so sure at this point that we're getting the representation we need from CLOUT, because that is the group that should be pushing for these alternative sources of funding and yet it's being administered by the Ohio Township Association, who wants no separation of that large urban township. We worked very hard to get that organization going and I think that's something that Steve has mentioned numerous times that we need to start addressing with maybe looking at a different guide other than the OTA.

Meeks: Well I really believe if we're going to make any headway through that organization, we're going to have to spin off and hire our own lobbyist or whatever it may be to speak the same language we're speaking because if you look at the Ohio Township Association and the head of that he, even though he's a great guy and he has done many wonderful things for all townships, he'll come out and tell you, the large townships really doesn't, I mean they mean something to him, but there's a lot more smaller ones and a lot stronger in numbers in the voting power and that is where his attention is.

Burger: Does anybody else have anything on this subject?

Meeks thanked Ray Martinez of Ohio Edison for coming in to speak about some of the recent power outages. Of most concern was the outage of July 26 when radio communications were lost. Mr. Martinez said the outages have been caused by the weather. It has been a very hot summer, bad storms, heavy winds and rain. He feels the outages haven't been as bad as they could have been due to the tree trimming they have been doing. The outage experienced on July 26 was due to lightning strikes which fried Ohio Edison equipment. He assured the Board these outages haven't been caused because Ohio Edison's system is outdated or in disrepair, they have simply been weather related.

At 6:03 p.m., Burger called the General Session to order with all department heads present. Burger requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

Administration Department

Park Department

RESOLUTION 05-064, ATTACHED

Meeks moved and Pizzino seconded a motion to accept the \$6,195.00 donation from the Northwest Jackson Soccer League and to authorize the receipt of said funds into the Park Department Capital Projects Fund #326 to be used for the purchase of the Paint Sprayer Equipment.

3-0 yes

ATTACHMENT 8/8/05 A

Meeks moved and Pizzino seconded a motion to authorize the purchase of a paint sprayer for the Park Department in the amount of \$6,195.00.

3-0 yes

ATTACHMENT 8/8/05 B

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 326.510.5387, Capital Fund – Discretionary, to account code 326.510.5658, Capital Fund – Equipment, in the amount of \$6,195.00.

3-0 yes

Zoning & Planning Department

ATTACHMENT 8/8/05 C

Meeks moved and Pizzino seconded a motion to notify the Stark County Auditor by Certified Mail of charges for the cutting of noxious weeds at 8078 Brook Hollow Street NW, Lot #11, Gloucester Village, Parcel No. 16-17434, N.W. Qtr. Section 28, Jackson Township, to be entered upon the tax duplicate and to be a lien upon the above real estate.

3-0 yes

ATTACHMENT 8/8/05 D

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 213.160.5220, Hospitalization Insurance, to account code 213.160.5344, Printing, in the amount of \$3,000.00 to cover printing of the Comprehensive Plan.

3-0 yes

RESOLUTION 05-065, ATTACHED

Meeks moved and Pizzino seconded a motion to authorize the hiring of Lori A. Foutz for the full-time position of Data Coordinator in the Zoning and Planning Department, effective August 22, 2005.

And that Lori A. Foutz will be compensated at the rate established for Data Coordinator in the Negotiated Agreement between the Jackson Township Board of Trustees and the Fraternal Order of Police, Ohio Labor Council, Inc., Office and Clerical Employees.

And that Lori A. Foutz will serve a six-month probationary period during which time she may be terminated without cause by the Board of Trustees.

3-0 yes

ATTACHMENT 8/8/05 E

Pizzino moved and Meeks seconded a motion to re-enroll in the January 1, 2006 Frank Gates Group Rating Program for workers compensation.

3-0 yes

Fire Department

ATTACHMENT 8/8/05 F

Pizzino moved and Meeks seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Agreement with Stark State College to sell one used 1988 Sutphen Pumper to the College.

3-0 yes

Heck: The second item is a continuation of our discussion on the Fire Levy. A few meetings back I had talked with the Board at a Work Session regarding our existing 5.6 mill levy. That it will be expiring in the next year and in consideration ought to be put forth on putting it out for replacement. In the interim, the Clerk and I have met and reviewed figures and a number of circumstances are hitting us that I think we need to take into consideration. Don't like to hear me say it, but 10 years ago when the decision was made to do a renewal instead of replacement and I said sooner or later that decision is going to haunt the Fire Department. Well it was later instead of early, based on the fact that we had inheritance dollars that we could do some capital improvements with. But the action by the Board, whether you do a replacement levy this year or next year, we are going to miss our major reappraisal. Normally we would find ourselves with about a 1.2 to 1.7 mill difference in our levy and this time it's only .6 of a mill or about \$500,000 that we would change in operations because of that I had asked the Board to consider only doing a 3 year replacement instead of a 5.

Heck: In the interim, talking with the Clerk, we have really three things that are hitting us. One is the very small reappraisal value that would change in bringing our levy back up to 5.6. Personal property tax that the State this year made a major change in how it's funded to townships and the Fire Department, as you heard earlier this evening, will lose better than half a million dollars over the next four years and our levy funding based on that change. And a third item, and it's just the trickle down effect, as costs are shifted from federal to state to local, is our EMS costs have probably gone up probably 300% in the last 2 or 3 years and I see nothing changing on that. Those costs will be shifted to our EMS program instead of reimbursements through the hospital or from the State in the form of grants. In addition to that we are going to miss, as I mentioned earlier, the major reappraisal. It will not occur until the year 2007 and those will have major impacts on the department. The Clerk has put together some considerations and there was some discussion amongst the Board members at that Work Session of things we could do, do we do a replacement, do we add on to our levy, do we do a combination of the two and if we did that where do we go. And I think I'd like to turn it over to the Clerk who has put these figures together for us at this point.

Gonzalez: On that first column, under the heading of, that's current, what we have. Right now we have voted mills of 5.6 and they have devalued to an effective millage of 4.92. Currently we're paying \$150.67 per \$100,000 home and then it carries out across on that chart, I'm sorry, I don't know if you can see that, a \$150,000 home is \$226, a \$175,000 home is \$263 and so on. To replace that levy is one of the options and that would be an increase and that's in this column

here. To replace that would be an additional \$20.83 a year. Unfortunately, as Ted has mentioned the replacement value wouldn't get him through a five year period. There's just not enough there - that would only generate an additional \$554,000 per year by replacing it. The next option would be to replace it and add one mill additional. That is in this column and that is an additional \$30.62 per \$100,000 in valuation. That would generate quite a bit of money, that would generate an additional \$1,776,000 which is probably, hopefully, more than Ted will need. But I guess the last option that I looked at was really to look at just only making up what funds will be lost under this new State budget bill. Replace it and just put enough extra millage on to cover the losses that we're going to lose from the businesses in the personal property tax. And that option is .4 additional mills. This would be to add four tenths of a mill, and that would take the levy to a 6.0 mills voted. That additional cost would be \$12.25 per home, so if you took the replacement and added, I think, it's the most we can ask the taxpayers for, they are just getting hit, as we just talked about, over and over and over again with property taxes. Under that plan, the cost for the replacement and adding the .4 of a mill is \$33.00 per \$100,000 home, the average home in Jackson Township is \$175,000 that would be \$57.89. That would be an increase to Ted of \$1,043,000. And looking at Ted's budget and we went through this pretty extensively this afternoon, I don't see that we should really ask for that money quicker than we need to and I don't believe we need to go to the ballot this year. We can get through this year. What it does is put you into a crunch next year and I don't think the Board wants to ask for any more taxes than they have to. Next year we will be faced with having to put it on in May if for some reason it would fail, I would recommend that we probably have a special election in August and then a shot in November. But we have those three shots at the apple and then of course you lose all the funding in the Fire Department. I think this is the most reasonable that you could possibly come up with financially because I can tell you, just replacing it, that \$554,000, we're losing that, so we can't actually run a fire department for less than what we're getting now. And really that's the bare minimum to ask for, it's just enough to make up for that \$554,000, but I guess we have to be to the ballot by - when's your deadline, Neal. This meeting or next meeting?

Fitzgerald: The actual deadline is Thursday, August 20. But we have to do a resolution to the county auditor first, and then follow up with that to the Board of Elections.

Gonzalez: We need to take some action awfully quickly here to get it on the ballot in November.

Fitzgerald: Yes.

Gonzalez: I guess my recommendation to the Board, and I certainly hope the discussion is to wait until May, go for 5 years, add the 4 tenths of a mill that will put the Township Fire Department back on that same 5 year cycle thing. He could live with that money for 5 years, he'd be a year behind the Police Department as it is now and he would go back for a replacement in 5 years after that for the 6 mills.

Pizzino: I agree with you Randy. As long as the Chief feels he can make it through to the next levy.

Heck: Basically, what we're doing with that plan is replacing the lost personal property tax that we're faced with. And it's, again, the shift of State mandates to put it back on the local

community what they want to do and our options, sorry to say, are pretty limited. Personal property tax and property tax that the property owner himself pays are the alternatives that we have and that doesn't leave us with any choice really. And we are going to lose a half million dollars in personal property tax.

Meeks: And I think that's key to make sure that our voters and residents of Jackson Township understand that the reason for this is because of the cuts that are mandated by the State. And due to the loss of these funds, the only way that we have to offset that is through the levy process.

Heck: One reminder I would put out. So many times we hear the cost of government and the fire service is obviously not a cheap operation, but we do return dollars to the public in the form of fire premiums. And with the classification and the actions the Board has taken in the past 6 years to get that classification, we are saving insurance premium dollars by a Class 3 to the property owners that are in our community and it also is indicative of the service that we offer. The alternative is a reduction in services, which will save tax dollars but it will also increase fire premiums and at the same time it will reduce the response time in services that we have. I think with what the Clerk has put forth, I would concur that we look at doing what we're talking about and probably time-wise it would be wise to do it next spring.

Meeks: I think another thing, Chief, and I know you have those numbers; you may not have them with you tonight, but also create a spreadsheet that shows the increase in runs, fire vs. EMS. Showing how every year we set a new record in that. It's phenomenal, I mean even though, thank goodness we're able to open Station 5 with the pressure that it has alleviated from Station 4 and Station 1, thank goodness it opened when it did because those are getting their numbers back up as well. But it is truly amazing, the amount of calls that fire and police both run in a year, truly amazing.

Gonzalez: So is it the Board's consensus not to go to the ballot this November? If so no action is needed.

Meeks: No, I would suggest that we take your advice and go in May.

Pizzino: I agree.

For the Record: Burger nodded yes.

Gonzalez: Thank you.

Heck: Thank you and that's all I have from the Fire Department.

Highway Department

RESOLUTION 05-066, ATTACHED

Burger moved and Meeks seconded a motion that pursuant to attached ORC Section 5705.13C, we hereby amend attached Resolution Number 01-160 to now read as follows:

1. Establish a Capital Project Reserve Balance Account, Fund #324, for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets for Highway Department services through the performance of the projects described in attached Amended Exhibit A.
2. Authorize the transfer and/or receipt of monies set forth in Amended Exhibit A totaling \$10,274,856.67 from Account 202.310.5959, 203.310.5959, 204.310.5959 and 211.310.5959 to be deposited in a special fund named the Capital Projects Reserve Balance Account Fund #324 which is the amount to be accumulated in the Reserve Balance Account and which said amount shall be accumulated over a five year period from the effective date of this Resolution and shall be established, maintained and monies therein to be invested by the Township Clerk.
3. Authorize the creation of the following new codes in the accounting system: Fund #324 – capital projects fund, Receipt #324.499 – transfer in, Expense code #324.310.5604 – capital projects fund, highway cost center, road improvements object code and all expense codes on attached Amended Exhibit A. **3-0 yes**

ATTACHMENT 8/8/05 G

Meeks moved and Pizzino seconded a motion to establish a meeting on September 9 at 7:00 p.m. with ODOT and affected property owners involved in the Fulton/Wales Intersection Improvement Project. **3-0 yes**

ATTACHMENT 8/8/05 H

Meeks moved and Pizzino seconded a motion to approve Budget Module No. 17-05-B, Fulton/Wales Intersection Improvement for partial funds required for estimated right-of-way acquisition per Real Estate Agreement #04-1063 dated 5/10/05 for the amount of \$500,000. **3-0 yes**

ATTACHMENT 8/8/05 I

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 324.310.5387, Discretionary, to account code 324.313.5711, Fulton/Wales R/W in the amount of \$500,000. **3-0 yes**

ATTACHMENT 8/8/05 J

Meeks moved and Pizzino seconded a motion to approve Budget Module No. 14-05-B, Fulton/Wales Intersection Improvement, to provide funds for the Sixth Supplemental Agreement with McCoy Associates, Inc. for the final design phase for \$147,285.00 less \$113,205.00 which will be reimbursed by the Willmoll Development Company, net amount of \$34,080.00. **3-0 yes**

ATTACHMENT 8/8/05 K

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 324.310.5387, Discretionary, to account code 324.313.5710, Fulton/Wales Design in the amount of \$34,080.00. **3-0 yes**

ATTACHMENT 8/8/05 L

Pizzino moved and Meeks seconded a motion to approve Budget Module No. 19-05-A, Amherst Beatty, for preliminary design of alignment and profiles to define project limits and arrive at an accurate project cost for the amount of \$4,500.00. Approved by Trustees 7/25/05. **3-0 yes**

ATTACHMENT 8/8/05 M

Meeks moved and Burger seconded a motion to approve Budget Module No. 18-05-A, Fulton East, for additional funds required for the first supplemental agreement approved in May 2005 by the Trustees for our portion of right-of-way expense in the amount of \$52,000.00. **3-0 yes**

ATTACHMENT 8/8/05 N

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5642, Fulton East R/W, in the amount of \$52,000.00 and from account code 324.310.5387, Discretionary, to account code 324.323.5710, Amherst/Beatty, in the amount of \$4,500.00, for a total of \$56,500.00. **3-0 yes**

ATTACHMENT 8/8/05 O

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5396, Vehicle Repairs, in the amount of \$25,000.00. **3-0 yes**

RESOLUTION 05-067, ATTACHED

Meeks moved and Burger seconded a motion to adopt and authorize the placement of a stop sign at: Emerald Cove Avenue N.W. to stop northbound at Emerald Hill Street N.W.

and Emerald Glen Avenue N.W. to stop southbound at Emerald Hill Street N.W. **3-0 yes**

Legal Department

ATTACHMENT 8/8/05 P

Burger moved and Meeks seconded a motion to employ and authorize the law firm of Krugliak, Wilkins, Griffith & Dougherty Co. LPA to advise and represent the Board of Trustees of Jackson Township, Stark County, Ohio or any other member or employee thereof in any issues or matter as requested by the Board of Trustees or Law Director including labor negotiations, grievance administration or arbitration hearings, unfair labor practice charges or other personnel issues or matters at the rate of \$125 per hour in accordance with the attached purchase order. **3-0 yes**

Police Department

RESOLUTION 05-068, ATTACHED

Meeks moved and Burger seconded a motion to authorize the hiring of Melissa M. Sims for the full-time position of Secretary 3 in the Police Department, effective August 29, 2005.

And that Melissa M. Sims will be compensated at the rate established for Secretary 3 in the Negotiated Agreement between the Jackson Township Board of Trustees and the Fraternal Order of Police, Ohio Labor Council, Inc., Office and Clerical Employees.

And that Melissa M. Sims will serve a six-month probationary period during which time she may be terminated without cause by the Board of Trustees. **3-0 yes**

Clerk's Office

ATTACHMENT 8/8/05 Q

Meeks moved and Pizzino seconded a motion to pay the bills in the amount of \$710,094.56. **3-0 yes**

ATTACHMENT 8/8/05 R

Meeks moved and Pizzino seconded a motion to approve the minutes of the July 25, 2005 Board of Trustees meeting. **3-0 yes**

ATTACHMENT 8/8/05 S

Meeks moved and Pizzino seconded a motion to approve the financial reports. **3-0 yes**

ATTACHMENT 8/8/05 T

Meeks moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 101.150.5110, Regular Salaries, to account code 101.150.5114, Temp. Service, in the amount of \$1,573.20. **3-0 yes**

RESOLUTION 05-069, ATTACHED

Burger moved and Meeks seconded a motion to accept and approve the attached bond and surety for Janet E. Russell, Assistant Clerk in the amount of \$250,000 and authorize the placement of our signatures on the bond. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, August 22, 2005, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC, September 1, 2005, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, September 6, 2005, 5:30 p.m., Township Hall.
- Zoning Commission Work Session, August 11, 2005, 5:00 p.m., Township Hall.
- Board of Zoning Appeals:
 - August 11, 2005, 7:00 p.m., Township Hall.
 - August 25, 2005, 7:00 p.m., Township Hall.
- Citizens Advisory Committees:

Community Celebration, August 10, 2005, 6:00 p.m., Township Hall.

Park, August 16, 2005, 6:30 p.m., Township Hall.

Highway/Traffic, August 17, 2005, 6:30 p.m., Township Hall.

Old Business – None

New Business

Pizzino moved and Burger seconded a motion not to request a hearing on the transfer of liquor license from Wing Chun Lau dba Austyns Seafood Bar & Grill, 4700 Everhard Rd. N.W. to Hei Tong LLC dba Buffet Dynasty, 4422 Belden Village St. N.W. **3-0 yes**

Pizzino moved and Burger seconded a motion not to request a hearing on the transfer of liquor license from Magg 4 Inc. dba Maggiores Drive Thru 4, 4040 Portage St. N.W. to William M. Ludwig, Jr. dba Maggiores Drive Thru 25, 2464 A – B Wales Rd. N.W. **3-0 yes**

Pizzino moved and Burger seconded a motion not to request a hearing on the transfer of liquor license from William M. Ludwig, Jr. dba Maggiores Drive Thru #25, 3464 A – B Wales Rd. N.W. to Magg 4 Inc. dba Maggiores Drive Thru 4, 4040 Portage St. N.W. **3-0 yes**

Burger moved and Meeks seconded a motion to accept a \$20 donation to the Park Tree Fund from Patrick Hogue in memory of Clara Krugh. **3-0 yes**

Burger moved and Meeks seconded a motion to accept a \$100 donation to the Park Department from Jackson Jayhawks Baseball. **3-0 yes**

Public Speaks – Open Forum

Michael Cook of 6455 Dromoland Circle N.W., Massillon in Wexford Estates reported that the developer Shawn O'Brien, Timberidge Enterprises is building a house on Arlington St. that does not meet covenants as far as size. The minimum is 2600 sq. ft. and this one is about 24 – 2500. The garage also does not meet minimum covenants of 600 sq. ft. being about 483. Several other issues are involved dealing with windows, and notification of and approval from majority of residents when changes are made. There is also an issue regarding a lot at Colleen and Dromoland that has metal and tires on it.

The Board requested a copy of the covenants and the letter Mr. Cook proposes to write and will look into the situation and try to help the residents with a resolution to their problems.

David Benner of 6379 Kilkenny Circle in Wexford Estates wanted to point out that it's not so much what is being done with the houses, it's more a question of the valuation of the area. He wanted the Board to be aware of the problems with this developer.

There were a total of ten residents who attended the meeting in order to make the problems with the developer known to the Trustees.

The meeting was recessed until 7:00 p.m.

Upon return from recess, Burger opened the Public Hearing on the Eagle's Landing Street Lighting District.

RESOLUTION 05-070, ATTACHED

Pizzino moved and Meeks seconded a motion to adopt the resolution for Eagle's Landing Lighting District as herein attached.

3-0 yes

New Business

Meeks has asked all department heads to prepare information and photos for a presentation to be made for Local Government Day at Kent Conference Center on September 9. He would like this to be ready several weeks ahead of time so the Board will have an opportunity to review it. Marilyn has been working with Angela on it and they have another meeting scheduled on Friday at 2:00.

Gonzalez suggested that the Trustees get a list of property owners involved in the Fulton/Wales project and talk to them in regards to donating some of the land for the right-of-way. If some of the land is not contributed, there is a possibility that the money may run out while the business owners, especially, have a lot to gain from the project.

Pizzino moved and Meeks seconded a motion to adjourn.

3-0 yes

William Burger, President

Randy Gonzalez, Clerk