

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

AUGUST 8, 2011

Pizzino called the meeting to order at 4:05 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and all department heads present. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks - None

Administration Department

ATTACHMENT 08/08/11 A

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Dominion Transaction Confirmation Customer Choice Program and further authorize Fiscal Officer Randy Gonzalez to sign the attached Sales and Use Tax Blanket Exemption Certificate. **3-0 yes**

Central Maintenance Department

ATTACHMENT 08/08/11 B

Walters moved and Burger seconded a motion to adopt the attached Municipal Storm Water Program Best Management Practices. **3-0 yes**

Fire Department

RESOLUTION 11-088, ATTACHED

Walters moved and Burger seconded a motion whereas, on February 22, 2010, in Resolution No. 10-012, we adopted an amended policy for an ambulance and emergency medical services fee.

Be it resolved that, we hereby adopt the attached amended ambulance and emergency medical service fee policy and that Resolution No. 10-012 is hereby replaced by this Resolution. **3-0 yes**

ATTACHMENT 08/08/11 C

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5385, Other Expense, to account code 210.210.5458, Contractual Services, in the amount of \$10,000.00. **3-0 yes**

ATTACHMENT 08/08/11 D

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5220, Hospitalization, to account code 210.210.5230, Worker's Comp., in the amount of \$6,037.35. **3-0 yes**

ATTACHMENT 08/08/11 E

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5385, Other Expense to account code 210.210.5432, Computer related, in the amount of \$6,000.00 and from account code 210.210.5385, Other Expense, to account code 210.210.5504, Office supplies/materials, in the amount of \$10,000.00. **3-0 yes**

Highway Department

ATTACHMENT 08/08/11 F

Pizzino moved and Burger seconded a motion to approve Budget Module No. 2011-11-B for New Equipment in the amount of \$1,532.00. **3-0 yes**

ATTACHMENT 08/08/11 G

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request form account code 204.310.5387, Discretionary, to account code 204.310.5652, Equipment, in the amount of \$1,532.00. **3-0 yes**

ATTACHMENT 08/08/11 H

Walters moved and Burger seconded a motion to accept the attached retirement notice from Stephen Ott, effective September 1, 2011. **3-0 yes**

Legal Department

ATTACHMENT 08/08/11 I

Pizzino moved and Walters seconded a motion not to request a hearing on the liquor license to E & L Restaurant Inc. dba Corkys Café, 7257 Fulton Rd. Unit 1, Jackson Twp., Canton, Ohio 44718. **3-0 yes**

ATTACHMENT 08/08/11 J

Pizzino moved and Burger seconded a motion not to request a hearing on the liquor license to Rolandos Sons of Italy 2820 & Storage Shed, 2433 Whipple Ave., N.W., Jackson Twp., Canton, Ohio 44708. **3-0 yes**

ATTACHMENT 08/08/11 K

Pizzino moved and Burger seconded a motion not to request a hearing on the liquor license to Basement Group LLC, dba the Basement N Canton & Patio, 6976 Whipple Ave. N.W., Jackson Twp., North Canton, OH 44720. **3-0 yes**

**RESOLUTION 11-089, ATTACHED
AEP AGGREGATION APPLICATION**

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Aggregator Registration Application for the State of Ohio and any other applications subsequently received. **3-0 yes**

Fitzgerald told the Board there have been a few complaints about the noise from trash pickup in residential areas that abut commercial areas. He said he called the company and received a

message that they would reroute for the last complaint from Francie Ave. He said Randy told him of a call received from someone on Erie. He suggested adding trash pickup to the noise ordinance. He will put something together for next meeting.

Police Department

ATTACHMENT 08/08/11 L

Walters moved and Burger seconded a motion to accept the attached resignation of part-time police officer and constable, Brian Gorham effective July 25, 2011. **3-0 yes**

Zoning & Planning Department

ATTACHMENT 08/08/11 M

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 23rd day of June, 2011 it was informed in writing that noxious weeds were growing on lands of Kim R. Abel Trustee in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 9182 Ruby Ridge Street NW, Emerald Estates Allotment #1, Lot 39, Parcel No. 16-26664, N.E. Qtr. Section 7, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$450.00</u>
Total	\$600.00

You are hereby requested to cause such amount, when allowed, to be entered upon the tax duplicate and to be a lien upon the above-described real estate, from and after the date of the entry, and to be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

ATTACHMENT 08/08/11 N

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 16th day of May, 2011 it was informed in writing that noxious weeds were growing on lands of Charles S. Ayers, deceased in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 5381 Blarney Circle NW, Irish Oaks #2, Lot 72, Parcel No. 16-10109, N.E. Qtr. Section 23, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
Total	\$550.00

You are hereby requested to cause such amount, when allowed, to be entered upon the tax duplicate and to be a lien upon the above-described real estate, from and after the date of the entry, and to be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

ATTACHMENT 08/08/11 O

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 26th day of May, 2011 it was informed in writing that noxious weeds were growing on lands of JP Morgan Chase Bank/Homesales, Inc. in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 4536 Smithview Avenue NW, Andyville Allotment 6, Lot 124, Parcel No. 16-09931, N.E. Qtr. Section 30, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
Total	\$550.00

You are hereby requested to cause such amount, when allowed, to be entered upon the tax duplicate and to be a lien upon the above-described real estate, from and after the date of the entry, and to be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

ATTACHMENT 08/08/11 P

Walters moved and Pizzino seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby makes report and certifies that on the 16th day of May, 2011 it was informed in writing that noxious weeds were growing on lands of Patricia M. Stanton in Jackson Township and were about to spread and mature seeds; said lands being described as follows: 2159 Ridgecrest Drive NW, Knob Hill Allotment, Lot 28, Parcel No. 16-06432, S.E. Qtr. Section 32, Jackson Township, and thereupon said Jackson Township Trustees adopted and served a resolution requiring that said noxious weeds be cut or destroyed.

The following is a statement of the charges for:

Administrative Fee	\$150.00
Labor, materials, and equipment used	<u>\$400.00</u>
Total	\$550.00

You are hereby requested to cause such amount, when allowed, to be entered upon the tax duplicate and to be a lien upon the above-described real estate, from and after the date of the entry, and to be collected as other taxes and returned to the Township to be placed in the Township general fund. **3-0 yes**

RESOLUTION 11-090, ATTACHED

NOXIOUS WEEDS – 4430 20TH STREET NW, PARCEL NUMBER 17-00247, JACKSON TOWNSHIP, OHIO

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Barbara Frey in Jackson Township described as follows: 4430 20th Street NW, Parcel Number 17-00247, Jackson Township, Ohio.

Be it resolved that said Barbara Frey, whose tax mailing address is 1580 1st Street NE, Apt. #3, Massillon, OH 44646, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands

and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2011. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. Additionally, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

**RESOLUTION 11-091, ATTACHED
NOXIOUS WEEDS – LOT 267, 281, 291, 293, AND 294 ON EMERALD HILL NW IN
EMERALD ESTATES ALLOTMENT #6, JACKSON TOWNSHIP, OHIO**

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Canterbury Preserve in Jackson Township described as follows: Lots 267, 281, 291, 293, and 294 on Emerald Hill NW in Emerald Estates Allotment #6, Jackson Township, Ohio.

Be it resolved that said Canterbury Preserve, whose tax mailing address is 2241 Pinnacle Parkway Suite B, Twinsburg, OH 44087, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2011. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. Additionally, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

**RESOLUTION 11-092, ATTACHED
NOXIOUS WEEDS – LOT 112 ON EMERALD COVE NW, LOTS 135 AND 137 ON
EMERALD BROOK NW, LOT 143 ON EMERALD RIDGE NW AND LOTS 283, 284,
AND 285 ON EMERALD GLEN NW, JACKSON TOWNSHIP, OHIO**

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Unmistakable Premier Homes, Inc. in Jackson Township described as follows: Lot 112 on Emerald Cove NW, Lots 135 and 137 on Emerald Brook NW, Lot 143 on Emerald Ridge NW and Lots 283, 284 and 285 on Emerald Glen NW, Jackson Township, Ohio.

Be it resolved that said Unmistakably Premier Homes, Inc., whose tax mailing address is 1392 High Street Suites 205, Wadsworth, OH 44281, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds

every 30 days from the date of this Resolution until September 30, 2011. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. Additionally, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

RESOLUTION 11-093, ATTACHED

NOXIOUS WEEDS – LOT 289 ON EMERALD GLEN CIRCLE NW, EMERALD ESTATES ALLOTMENT #6, OHIO

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of MVP Real Estate Ltd.. in Jackson Township described as follows: Lot 289 on Emerald Glen Circle NW, Emerald Estates Allotment #6, Jackson Township, Ohio.

Be it resolved that said MNP Real Estate Ltd., whose tax mailing address is 145 46th Street SW, Canton, OH 44706, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2011. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. Additionally, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

Fiscal Office

ATTACHMENT 08/08/11 Q

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$1,413,520.54. **3-0 yes**

ATTACHMENT 08/08/11 R

Pizzino moved and Burger seconded a motion to approve the minutes of July 25 and August 2, 2011 Board of Trustees' meetings. **3-0 yes**

ATTACHMENT 08/08/11 S

Pizzino moved and Burger seconded a motion to approve the July Financial Reports. **3-0 yes**

RESOLUTION 11-094, ATTACHED

2012 ALTERNATE TAX BUDGET DOCUMENTS

Walters moved and Burger seconded a motion to adopt the attached Alternate Tax Budget Document for Fiscal Year 2012 as required by the Stark County Budget Commission in their attached July 27, 2011 directive, authorize the Township Fiscal Officer to sign the Alternate Tax Budget Document and authorize the Township Fiscal Officer to file said Alternate Tax Budget Document with the Stark County Auditor's Office. **3-0 yes**

ATTACHMENT 08/08/11 T

Pizzino moved and Burger seconded a motion to approve the fund transfer from Fund 101, General Fund, to Fund 214, Park Fund, in the amount of \$242,040.50 and from Fund 101, General Fund, to Fund 213, Zoning Fund, in the amount of \$5,024.00. **3-0 yes**

ATTACHMENT 08/08/11 U

Walters moved and Burger seconded a motion to set a public hearing for the Aberdeen Glen 4 street lighting district on August 22, 2011, at 5:45 p.m., **3-0 yes**

Gonzalez told the Board the audit was over and there were no citations. He thanked all the Department Heads and all the staff in the Fiscal Office for doing a good job.

Routine Business

Announcements

- Next regular Board of Trustees meeting, August 22, 2011, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- LOGIC, September 1, 2011, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, August 15, 2011, 5:00 p.m., Township Hall.
- Zoning Commission, August 18, 2011, 5:00 p.m., Township Hall.
- Board of Zoning Appeals, August 25, 2011, 6:30 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration (Wrap-up), August 9, 2011, 5:30 p.m., Township Hall.
 - Park, August 9, 2011, 6:30 p.m., Township Hall.
 - Highway/Traffic, August 17, 2011, 6:30 p.m., Township Hall.
- Jackson Township Farmers Market, Thursdays, June 30 – September 29, 3:00 – 6:00 p.m., Jackson North Park.

Old Business – None

New Business - None

Public Speaks – Open Forum

Darla Bruno of 6519 Pebblecreek Ave. N.W., said she was here on July 11 and spoke a little about slick water horizontal hydraulic fracturing. She said she mentioned a Pittsburg style ban. She said she has spoken to some other councils in the area since.

Walters told her the Board has no legal authority over this type of issue. He said it is regulated by the State. He suggested she talk to the Department of Natural Resources and to the State Legislators.

Ms. Bruno said in the areas where they have passed a Pittsburg style ban the drillers have stayed out and have not challenged it. She presented the Board with a dvd from the Canton City Council Meeting with Doug Shields from the Pittsburg City Council and Ron Gulla who is a Pennsylvania resident who worked in the drilling industry and had a well drilled on his farm and the farm became contaminated.

She gave the Board some additional information to consider.

Sharon Ardis from Plain Township said she agreed with everything Ms. Bruno said.

Jim Hubner, 55 6th St. S.E., Massillon, said last week he received a certified letter from Everflow Eastern who wanted to drill a well about 350 feet from his house. He said they have been to his house several times and they have visited the neighbors and they have been at it for a couple of years. He said the letter said the company is about to “initiate a mandatory pooling order, which means in a 40 acre drilling unit they have to have most of the owners signed on”. He said he thinks the “local communities need to stand together not only to keep drilling out of the neighborhoods but to reassert ourselves and have some say”.

Mike Bachman of 1128 Pittsburg Ave., North Canton, said he agreed with Darla and Jim and wanted to speak as a younger person just out of college. He said they didn’t have a lot of jobs to look forward to coming out of college and he was angry about the potential devastation fracking could cause.

Walters moved and Burger seconded a motion to adjourn.

3-0 yes

John Pizzino

Randy Gonzalez