

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

DECEMBER 10, 2013

Walters called the meeting to order at 3:05 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Vaccaro, Hogue, Morton, Berczik, Bissler, Brink, Poindexter and Ruwadi present. He requested that all cell phones be turned off at this time.

Departmental Budget Reviews

Fire Department

Walters moved and Hawke seconded a motion to approve Budget Module No. 210-14-01 for Fire Suppression, EMS, Training and Fire Prevention in the amount of \$8,340,725.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module No. 210-14-02 for Traffic Lights Maintenance Contract in the amount of \$2,500.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 210-14-03 for HazMat Team Membership with Stark County in the amount of \$9,000.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 210-14-04 for AFG Turnout Gear in the amount of \$11,730.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 210-14-05 for AFG Regional Radio Grant in the amount of \$53,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 210-14-06 for Computer Replacement in the amount of \$7,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 210-14-07 for Computer Network Server in the amount of \$20,000.00. **3-0 yes**

Pizzino moved and Hawke seconded a motion to approve Budget Module No. 210-14-08 for Fire Hose Replacement in the amount of \$15,000.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 210-14-09 for Personal Protective Equipment Extractor in the amount of \$10,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 228-14-10 for EMS Operations in the amount of \$1,528,178.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 228-14-11 for Computer Licensing in the amount of \$10,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 228-14-12 for Life Pack Equipment / Semi-Annual Service Contract in the amount of \$8,500.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 228-14-13 for EMS Cot Service Contract in the amount of \$5,500.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 228-14-14 for Fire Accumulated Benefit (Retirements) in the amount of \$200,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 210-14-15 for Fire Reserve Capital (Fire Station Improvements) in the amount of \$100,000.00. **3-0 yes**

Pizzino moved and Hawke seconded a motion to approve Budget Module No. 210-14-16 for Fire Reserve Capital (Ambulance Replacement) in the amount of \$224,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 210-14-17 for Fire Reserve Balance (Transfer into 210 Fire Fund) in the amount of \$386,124.00. **3-0 yes**

Police Department

Walters moved and Pizzino seconded a motion to approve Budget Module No. 2014-01 for Operations Section in the amount of \$3,341,258.00. **3-0 yes**

Pizzino moved and Hawke seconded a motion to approve Budget Module No. 2014-02 for Patrol Division in the amount of \$3,186,115.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-03 for Juvenile Services in the amount of \$89,462.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-04 for FBI Task Force in the amount of \$104,670.32. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-05 for School Resource Part-Time Officers in the amount of \$42,106.88. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 2014-06 for SWAT Team – Canton in the amount of \$45,004.94. **3-0 yes**

Pizzino moved and Hawke seconded a motion to approve Budget Module No. 2014-07 for Detective Bureau in the amount of \$384,503.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-08 for Metro Narcotics Detective Add-On Module in the amount of \$102,725.20. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-09 for Law Enforcement Trust Fund in the amount of \$50,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-10 for OVI – Enforcement Fund in the amount of \$5,000.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 2014-11 for Equitable Sharing Fund in the amount of \$50,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-12 for Equitable Sharing Fund in the amount of \$25,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 2014-13 for Police Accumulated Benefits Fund in the amount of \$100,000.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 2014-14 for Police Capital Projects in the amount of \$0.00. **3-0 yes**

Pizzino moved and Hawke seconded a motion to approve Budget Module No. 2014-15 for Police Levy Balancing & Addt'l Reserve Balance Fund in the amount of \$726,893.91. **3-0 yes**

Park Department

Walters moved and Hawke seconded a motion to approve Budget Module No. 14-1 for Current Service Level – Operations in the amount of \$894,544.00. **3-0 yes**

Pizzino moved and Hawke seconded a motion to approve Budget Module No. 14-2 for Current Service Level – Programs in the amount of \$37,388.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 14-3 for Walking Path in the amount of \$93,700.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 14-4 for Smithco Super Liner in the amount of \$10,965.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 14-5 for Accumulated Benefits in the amount of \$54,016.00. **3-0 yes**

Hawke moved and Walters seconded a motion to approve Budget Module No. 14-6 for Advance Repayment in the amount of \$377,757.00. **3-0 yes**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 14-7 for Network Server Core in the amount of \$5,000.00. **3-0 yes**

Walters moved and Hawke seconded a motion to approve Budget Module No. 14-8 for Community Celebration in the amount of \$50,000.00. **3-0 yes**

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

Walters moved and Hawke seconded a motion to go into Executive Session for Public Works – Park Division Personnel (Appointment/Employment/Compensation) –Interview Park Advisory Committee applicants. **3-0 yes**

Walters moved and Hawke seconded a motion to go into Executive Session for Zoning Department Personnel (Appointment/Employment/Compensation) – Interview Board of Zoning Appeals and Zoning Commission applicants. **3-0 yes**

Walters moved and Hawke seconded motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation). **3-0 yes**

Walters moved and Hawke seconded a motion to go into Executive Session to consider confidential information related to economic development assistance as described in Ohio Revised Code 121.22(G)(8)(1) and (2). **3-0 yes**

Upon return from Executive Session at 6:00 p.m., Walters called the General Session to order with all department heads present. He requested that all cell phones be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks

Gordon Woolbert, 6123 Cherry Blossom Circle N.W., North Canton, in speaking about the Lake Cable School property said the Jackson Local School District and Verizon Wireless may seek a permit to put a cell tower on the property. He asked the Township and Zoning and Planning that if a permit is sought, that it be looked at carefully, for full compliance with Section 304 of the Township’s Zoning Resolution on cell towers. He said that he is convinced that if the resolution is looked at carefully, specifically that section, that this project on this parcel of land would not be allowed a permit. He thanked the Board in advance for looking at this carefully when it comes in and for requiring full compliance with the resolution.

Walters asked Mr. Vaccaro to walk through the process. Vaccaro said the Township received notice on December 4 from NTP Wireless as agent for Verizon Wireless that they plan to construct a tower on this site. He said statutorily that a Township cannot zone against a public utility and that the statute goes on to identify telecommunication towers and then if NTP goes through certain notice procedures and there’s an objection received either by resident or from a Board member that kicks in the zoning regulations with Section 304 in place for that purpose.

Vaccaro told Mr. Woolbert that his objection was received first and that the notice is ready to go to NTP notifying them that they need to follow the zoning regulations as currently set forth. He said NTP’s response would determine the next step.

Pizzino said he was in contact with Superintendent DiLoreto today and the Assistant Superintendent and found out that this has not been finalized, there are no contracts, there are no agreements. He said they haven't done any dirt work to see if a tower is even possible at that site. He said the school is just looking at an alternate way to generate income to make up for losses from the State. Pizzino said he told both the Superintendent and Assistant Superintendent of the concerns from the residents in that area. Pizzino said if this were to happen it wouldn't be until next June or July.

Poindexter added that with the Township exercising their right to enforce the zoning regulations, they would be required to go before the Board of Zoning Appeals and apply for a conditional use permit at which time they would have to comply with all the regulations and all those surrounding property owners would be notified of that meeting and then you would have a chance to come to the meeting and state your objections to the Board of Zoning Appeals.

Walters said it is a pretty lengthy process involved. He said they are a long way from constructing something. He said that, one, the Township will be very diligent in dealing with this issue just as we are with all zoning issues. He said the other thing he would encourage people to do is to relay their concerns to the Superintendent and to all members of the School Board.

A person in the audience pointed out that not only should all the adjacent property owners be notified but all the parents of students at that school should be notified as well. There were several other questions asked.

Poindexter said that the Ohio Revised Code legally requires the Township Zoning Department to notify all the surrounding property owners that abut that property. She said that if they felt that other neighbors should be notified, the property owner could notify them.

Administration Department

ATTACHMENT 12/10/13 A

Walters moved and Hawke seconded a motion to approve and authorize the Board President to sign the attached insurance application from HCC Life Insurance Company. **3-0 yes**

ATTACHMENT 12/10/13 B

Walters moved and Hawke seconded a motion pursuant to ORC Section 9.15 to adopt the attached Indigent Burial Policy, effective December 11, 2013. **3-0 yes**

ATTACHMENT 12/10/13 C

Walters moved and Hawke seconded a motion pursuant to ORC Section 9.15 to adopt the attached Public Meeting Policy, effective December 11, 2013. **3-0 yes**

ATTACHMENT 12/10/13 D

Walters moved and Hawke seconded a motion to approve the attached amendment to the Driving Rules and Regulations Policy, effective December 11, 2013. **3-0 yes**

There was some discussion regarding the Street Pole Banner Program. Some of the changes are to specify Jackson organizations and no individual photos.

ATTACHMENT 12/10/13 E

Walters moved and Hawke seconded a motion to adopt the attached Street Pole Banner Program which supersedes all previous Street Pole Banner Programs with amendments, effective June 2, 2014. **3-0 yes**

Fire Department

ATTACHMENT 12/10/13 F

Walters moved and Hawke seconded a motion to accept the attached resignation from Fire Department Chaplain Douglas Patton, effective December 31, 2013. **3-0 yes**

Legal Department

ATTACHMENT 12/10/13 G

Walters moved and Hawke seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached HIPAA Business Associate Agreement with the Employer's Health Purchasing Corporation of Ohio. **3-0 yes**

ATTACHMENT 12/10/13 H

Walters moved and Hawke seconded a motion to authorize the Fiscal Officer to issue a Notice pursuant to ORC 519.211(B)(4)(a) to NTP Wireless. **3-0 yes**

Police Department

**RESOLUTION 13-084, ATTACHED
STARK STATE COLLEGE VEHICLE SALE**

Walters moved and Hawke seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with Stark State College for the sale of four used 2008 Ford Crown Victorias. **3-0 yes**

**RESOLUTION 13-085, ATTACHED
FULL TIME SECRETARY 3**

Walters moved and Hawke seconded a motion that, subject to a pre-employment negative drug screen, we hereby authorize the hiring of Lauren N. Forshee for the full-time position of Secretary 3 in the Police Department, effective December 16, 2013, who will be compensated at the rate established 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.

Be it further resolved that Lauren N. Forshee will serve a seven hundred thirty day probationary period during which time she may be terminated without cause by the Board of Trustees.

3-0 yes

Public Works Department

Highway Division

**RESOLUTION 13-086, ATTACHED
EMERALD ESTATES #8 ALLOTMENT STOP SIGNS**

Walters moved and Pizzino seconded a motion that we hereby adopt and authorize the placement of stop signs at:

1. Amethyst Circle NW to stop northbound and southbound at Emerald Isle Street NW
2. Montella Avenue NW to stop northbound and southbound at Emerald Isle Street NW.

3-0 yes

**RESOLUTION 13-087, ATTACHED
MT. PLEASANT ROAD RESURFACING PROJECT**

Walters moved and Hawke seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Letter of Intent to Wayne L. Wiethe, Director of Planning, City of Green for the Mt. Pleasant Road Resurfacing Project.

3-0 yes

Park Division

ATTACHMENT 12/10/13 I

Walters moved and Hawke seconded a motion to approve the appropriation transfer request from account code 214.510.5299, Discretionary P/S to account code 214.520.5485, Electric in the amount of \$3,000.00.

3-0 yes

Fiscal Office

ATTACHMENT 12/10/13 J

Walters moved and Hawke seconded a motion to pay the bills in the amount of \$834,130.79.

3-0 yes

ATTACHMENT 12/10/13 K

Walters moved and Hawke seconded a motion to approve the minutes of the November 26, 2013 Board of Trustees' meeting.

**Walters – Abstained
Pizzino – Yes
Hawke – Yes**

ATTACHMENT 12/10/13 L

Walters moved and Hawke seconded a motion to approve the November 2013 Financial Reports.

3-0 yes

ATTACHMENT 12/10/13 M

Walters moved and Hawke seconded a motion to approve the Request for Additional Amended Certificate of \$1,193,765.76.

3-0 yes

ATTACHMENT 12/10/13 N

Walters moved and Hawke seconded a motion to approve the 2013 Supplemental Appropriations of \$2,665,383.73. **3-0 yes**

ATTACHMENT 12/10/13 O

Walters moved and Pizzino seconded a motion to rescind the attached February 26, 2013 fund transfer from Fund 101, General Fund, to Fund 214, Park Fund, in the amount of \$125,919.00.

3-0 yes

ATTACHMENT 12/10/13 P

Walters moved and Hawke seconded a motion to rescind the attached May 23, 2013 fund transfer from Fund 101, General Fund, to Fund 214, Park Fund, in the amount of \$125,919.00.

3-0 yes

ATTACHMENT 12/10/13 Q

Walters moved and Pizzino seconded a motion to rescind the attached September 24, 2013 fund transfer from Fund 101, General Fund, to Fund 214, Park Fund, in the amount of \$125,919.00.

3-0 yes

**RESOLUTION 13-088, ATTACHED
PARK FUND ADVANCE**

Walters moved and Hawke seconded a motion to approve an advance of cash of \$377,757.00 from General Fund 101 to Park Fund 214, with an expectation that this amount will be repaid to General Fund 101 from Park Fund 214 when Park Department 2013 tax year levy monies become available in 2014. **3-0 yes**

**RESOLUTION 13-089, ATTACHED
FIRE FUND CAPITAL PROJECTS FUND #328**

Walters moved and Hawke seconded a motion that pursuant to attached ORC Section 5705.13(C), we hereby amend attached Resolution No. 12-095, effective December 10, 2013 to now read as follows:

1. Establish a Capital Projects Reserve Balance Account, Fund #328, for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets for Fire 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 \$36,000.00 from Account 228.21.5958 to be deposited in a special fund named the Capital Projects Reserve Balance Account Fund #328 bringing the total deposits to \$1,341,500.00 which is the amount to be accumulated in the Reserve Balance Account and which said amount shall be accumulated over a ten year period from the effective date of this Resolution and shall be established, maintained and monies therein to be invested by the Township Fiscal Officer.
3. Authorize the creation of the following new codes in the accounting system: Fund #328 – fire capital projects fund, Receipt #328.4990 – transfer in, Expense code #328.210.5660 – capital projects fund, fire cost center, ambulance/trucks object code, and #328,210.5658 – capital fire equipment object code. **3-0 yes**

RESOLUTION 13-090, ATTACHED

RESCISSION OF POLICE CAPITAL PROJECTS FUND #325

Walters moved and Hawke seconded a motion pursuant to ORC Section 5705.13(C), we hereby rescind Resolution No. 12-099 and all prior resolutions related to the establishment and/or amendment of Capital Projects Fund #325 and to transfer the balance contained in Capital Projects Fund #325 of \$1,581,617.97 to Police Fund #209. **3-0 yes**

RESOLUTION 13-091, ATTACHED

RESCISSION OF PARK CAPITAL PROJECTS FUND #326

Walters moved and Hawke seconded a motion pursuant to ORC Section 5705.13(C), we hereby rescind Resolution No. 08-121 and all prior resolutions related to the establishment and/or amendment of capital Projects Fund #326 and to transfer the balance contained in Capital Projects Fund #326 of \$56,877.20 to Park Fund #214. **3-0 yes**

RESOLUTION 13-092, ATTACHED

POLICE LEVY FUND RESERVE BALANCE ACCOUNT #430

Walters moved and Hawke seconded a motion pursuant to attached ORC Section 5705.13(A)(1), we hereby amend attached Resolution 12-100 to now read as follows:

1. Establish a Reserve Balance Account to accumulate currently available resources in the Police Levy Fund for the purpose of stabilizing the Police Department Budget against cyclical changes in revenues and expenditures.
2. Authorize the transfer of \$49,922.27, per attached Exhibit A, from the Police Levy Fund Reserve Balance Account, 430.250.5956 to be deposited in the Police District Levy Fund #209.
3. Authorize the establishment of the following new codes in the accounting system: Fund #430 – Police Reserve Balance Fund, Receipt #430.000.4900 transfers in from Police Fund, and Expense code #430.250.5956 – Police Reserve Balance fund, Police operations cost center, transfer to #209 Police fund object code. **3-0 yes**

RESOLUTION 13-093, ATTACHED

POLICY LEVY ADDITIONAL RESERVE BALANCE ACCOUNT #432

Walters moved and Hawke seconded a motion pursuant to attached ORC Section 5705.132, we hereby amend Resolution 11-140 to now read as follows:

1. Establish a Reserve Balance Account used to accumulate currently available resources in the Police Levy Fund for the cost of future employee's salaries, benefits and other related costs.
2. Authorize the transfer of 1,000,000.00 from the Police Levy Additional Reserve Balance Account 432.250.5951 to be deposited in the Police District Levy Fund #209.
3. Authorize the establishment of the following new codes in the accounting system: Fund #432 – Police Reserve Balance Fund; receipt #432.000.4990 transfer in from Police Fund, and expense code #432.250.5951 – Police Reserve Balance Fund, Police operations cost center, transfer to #209 Police Levy object code. **3-0 yes**

**RESOLUTION 13-094, ATTACHED
HIGHWAY DIVISION ACCUMULATED BENEFITS #294**

Walters moved and Hawke seconded a motion pursuant to attached ORC Section 5705.13B, we hereby amend attached Resolution Number 12-098, effective December 10, 2013, as follows:

1. Establish a Highway Division Special Revenue Fund for the purpose of accumulating resources for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision.
2. Authorize the transfer of \$20,000 from Account 204.310.5963 to be deposited in a special sub fund named the Highway Division Special Revenue Fund #294, and can be supplemented if subsequently determined by the Board of Trustees and shall be established and maintained by the Township Fiscal Officer.
3. Authorize the creation if the following new codes in the accounting system: Fund #294 – Highway Special Revenue fund, #294.000.4990 transfers in from Highway Fund, expense code #294.310.5140 – Highway Special Revenue Fund, Highway operations cost center, severance pay object code. **3-0 yes**

**RESOLUTION 13-095, ATTACHED
GENERAL FUND ACCUMULATED BENEFITS #292**

Walters moved and Hawke seconded a motion pursuant to attached ORC Section 5705.13B, we hereby amend attached Resolution No. 12-097, effective December 10, 2013, as follows:

1. Establish a General Fund Special Revenue Fund for the purpose of accumulating resources for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision.
2. Authorize the transfer of \$25,000 from Account 101.150.5982 to be deposited in a special sub fund named the General Fund Special Revenue Fund #292, and can be supplemented if subsequently determined by the Board of Trustees and shall be established and maintained by the Fiscal Officer.
3. Authorize the creation of the following new codes in the accounting system: Fund #292 – General Fund Special Revenue Fund, #292.4990 transfer in from General Fund, expense code #292.150.514 General fund Special Revenue Fund, Fiscal cost center, severance object code. **3-0 yes**

ATTACHMENT 12/10/13 R

Walters moved and Hawke seconded a motion to approve fund transfers in accordance with the reserve account resolutions:

Amount	From Fund	Description	To Fund	Description	
\$ 25,000.00	101	General	292	General Accum Benefits Fund	
\$ 20,000.00	204	Road & Bridge	294	Highway Accum Benefits Fund	
\$ 36,000.00	228	EMS fund	328	Fire Capital	
\$ 49,922.27	430	Police Levy Bal Fund	209	Police Levy	
\$1,000,000.00	432	Police Addtl Reserve Acct	209	Police Levy	
\$ 56,877.20	326	Park Capital-close	214	Park Fund	
\$1,581,617.97	325	Police Capital-close	209	Police Levy Fund	3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees meeting, December 17, 2013, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- CIC, December 16, 2013, 12:00 p.m., Papa Bear’s Italian Restaurant, 4990 Dressler Road NW.
- LOGIC, January 9, 2014, 9:00 a.m., Jackson Safety Center, Chiefs’ Conference Room.
- Board of Zoning Appeals, December 19, 2013, 5:30 p.m., Township Hall.
- Citizens Advisory Committees:
- Community Celebration, January 8, 2014, 5:30 p.m., Township Hall.
- Park, January 8, 2014, 6:30 p.m., Township Hall.
- Friends of the Park, January 8, 2014, 7:00 p.m., Township Hall.
- Jackson Township Recycling Station Board, December 11, 2013, 12:00 p.m., Buehler’s Community Room.
- Holiday in the Park, Saturday, December 14, 2013, North Park, 5:00 – 7:00 p.m.
- Santa’s Mailbox, December 1 – 16, located in front of Township Hall.

Old Business – None

New Business – None

Public Speaks – Open Forum

No one came forward.

Walters moved and Hawke seconded a motion to adjourn.

3-0 yes

James Walters

Randy Gonzalez