

## **RECORD OF PROCEEDINGS**

### **MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING**

**FEBRUARY 12, 2007**

Meeks called the meeting to order at 4:03 p.m. at the Jackson Township Hall with Trustee Meeks, Trustee Pizzino, Fiscal Officer, Lyon, Fitzgerald and Chief Neftzer present.

Meeks moved and Pizzino seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) to interview full-time Patrol Officer applicants. **2-0 yes**

Meeks moved and Pizzino seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) to interview Secretary 3 applicant. **2-0 yes**

Meeks moved and Pizzino seconded a motion to go into Executive Session for Legal Department Personnel (Appointment/Employment/Compensation). **2-0 yes**

Upon return from Executive Session, Meeks opened the Work Session at 5:34 p.m.

#### **ATTACHMENT 02/12/07 A**

Boger introduced Barb Bennett from Hammontree and Andy Leach as the designers and developers of a new allotment called Spring Landing.

Barb Bennett explained that West Shore Land Company is a development group of the Leach and McCue families. This project consists of 14 lots on Lake O Springs Road and they are asking for a variance from the County Commissioners from the construction standards for the cul-de-sac. The cul-de-sac is at the end of Chermont Ave. and they are asking for the Trustees' endorsement on the variance to eliminate curb and gutter on the road improvement.

Meeks said he thinks it's a doable request. He said right now there is an issue with an existing storm sewer running down Elmdale across a gas easement and eventually goes into the lake that isn't working.

Ms. Bennett said this was brought up to them at Regional Planning when the preliminary plat was filed. One of the conditions of approval is to make sure the storm pipe is tied in properly to the lake and avoids any building pads and sites.

Pizzino said he feels that until this storm pipe problem is resolved, everything should be put on hold. He said the Trustees have prepared a letter about this project and the drainage problem.

There was some discussion about who was responsible for creating the current problem and who would be responsible for correcting it. It was agreed that not all of the information has been thoroughly assessed by all the parties.

Meeks moved and Pizzino seconded a motion not to object to the variance from curb and gutter. **2-0 yes**

Meeks moved and Pizzino seconded a motion to send a letter to the Board of Commissioners notifying them of the issue with the storm sewer. **2-0 yes**

At 6:00 p.m., Meeks called the General Session to order with all department head 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 02/12/07 B**

Meeks moved and Pizzino seconded a motion to approve the attached Health Benefit Plan Amendment to change the dispensing limits on drugs purchased at a pharmacy effective January 1, 2007, as recommended by the Health Insurance Committee. **2-0 yes**

#### **ATTACHMENT 02/12/07 C**

Pizzino moved and Meeks seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Amended OTARMA Scope of Coverage. **2-0 yes**

#### **ATTACHMENT 02/12/07 D**

Pizzino moved and Meeks seconded a motion to authorize Steven Meeks as the Board of Trustees' representative to attend the annual Health District Advisory Council Meeting on Thursday, March 1, 2007, at 7:30 p.m., at the Stark County Health Department. **2-0 yes**

### **Fire Department**

#### **RESOLUTION 07-014, ATTACHED**

Meeks moved and Pizzino seconded a motion to adopt the attached amended ambulance and emergency medical service fee policy and that Resolution No. 04-089 is hereby replaced by this Resolution. **2-0 yes**

## **Highway Department**

### **ATTACHMENT 02/12/07 E**

Pizzino moved and Meeks seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5397, Snow Work, in the amount of \$20,000.00. **2-0 yes**

### **ATTACHMENT 02/12/07 F**

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached change order for the Strausser / Lutz Improvement Project. **2-0 yes**

### **ATTACHMENT 02/12/07 G**

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Road vacation comment letter for Marzilli temporary cul-de-sac. **2-0 yes**

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of the Board's signatures upon the attached Road vacation comment letter for Mossy Oaks Avenue temporary cul-de-sac. **2-0 yes**

### **RESOLUTION 07-015, ATTACHED**

Pizzino moved and Meeks seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Contract with Waikem Ford, Inc. for the purchase of one (1) 2008 Ford F-350 for a total amount of \$16,889.77 which is lower than the price listed in the State Purchasing Contract for the same equipment. **2-0 yes**

### **RESOLUTION 07-016, ATTACHED**

Meeks moved and Pizzino seconded a motion whereas, Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

Now therefore be it resolved by the Board of Trustees of Jackson Township, Stark County, Ohio that:

#### **Section 1**

That Ralph Boger, Jackson Township Highway Superintendent, hereby requests authority in the name of the Board of Trustees of Jackson Township, Stark County, Ohio to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

**Section 2**

That Ralph Boger is hereby authorized to agree in the name of the Board of Trustees of Jackson Township, Stark County, Ohio, to be bound by all terms and conditions as the Director of Transportation prescribes.

**Section 3**

That Ralph Boger is hereby authorized to agree, in the name of the Board of Trustees of Jackson Township, Stark County, Ohio to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the Board of Trustees participates, for items it receives pursuant to the contract.

**Section 4**

The Board of Trustees of Jackson Township, Stark County, Ohio, agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01 (B) of the Ohio Revised Code. The Board of Trustees of Jackson Township, Stark County, Ohio releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the Board of Trustees may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees. **2-0 yes**

**Police Department**

**ATTACHMENT 02/12/07 H**

Pizzino moved and Meeks seconded a motion to adopt and authorize the placement of the Board President’s signature upon the attached Agreement with The Workshops, Inc. **2-0 yes**

**RESOLUTION 07-017, ATTACHED**

Meeks moved and Pizzino seconded a motion pursuant to ORC Sections 505.49 and 509.01, we hereby appoint Brian S. Vannest as Full Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, contingent upon successful completion of the psychological and physical evaluation, background check, negative drug screen and any other testing requirements. **2-0 yes**

**ATTACHMENT 02/12/07 I**

Meeks moved and Pizzino seconded a motion to authorize an additional full-time patrol officer position as recommended by the Police Chief. **2-0 yes**

**Fiscal Office**

**ATTACHMENT 02/12/07 J**

Meeks moved and Pizzino seconded a motion to pay the bills in the amount of \$1,447,354.10. **2-0 yes**

**ATTACHMENT 02/12/07 K**

Meeks moved and Pizzino seconded a motion to approve the minutes of the January 22, 2007 Board of Trustees meeting. **2-0 yes**

**ATTACHMENT 02/12/07 L**

Meeks moved and Pizzino seconded a motion to approve the financial reports for January 2007. **2-0 yes**

Gonzalez: The next one is the authorization for the transfer of funds from the General Fund to the Park Fund to operate our Park Department. You see that's approximately a fourth of the budget, we do this four times a year, that's \$213,000, I know Mr. Pizzino loves to do math in his head, you can see the number it's going to be for the year. The reason I bring that up is reading the newspaper in reference to Stark Parks putting a park levy on. It will generate roughly \$1.3 million from Jackson Township. None of that goes into this budget.

Meeks: That's exactly right. We receive zero dollars from that levy. I think a lot of people who use our parks, and we're glad that they do, but they do think that Stark Parks levies support our park system and it does not. One hundred percent of the funding for operations comes out of our general fund and any additional we do try and seek through grants or donations. But Stark Parks does not – those monies do not come back to Jackson Township.

Pizzino: I think, Mr. Gonzalez, you should note that Jackson Township is the number one contributor to Stark Parks, am I correct in saying that?

Gonzalez: Yes.

Pizzino: So what we get for that is that little park, Crystal Springs, that holds about ten cars and a porta-jon and the trail that hooks from Canal Fulton to Massillon. That's the only problem I have with it. Mr. Ruwadi does a great job with our parks; his hands are tied. There are a lot of people in Jackson Township who feel we're getting the monies back from Stark Parks. We did ask Stark Parks when we were there to try to assist us and he says that they don't do anything about recreation and our parks are all about recreation. It's more of a passive park for trails and whatever. That's a big nut, over a million two for what we get. I don't think we're really getting our money's worth, but that's just my opinion. They have partnerships down in Canton. They're redoing the house there in Stadium Park. They partnered up with that. They're moving their ranger station down there. I'm just looking out for the Township residents. How they vote is how they vote, but they have to know that we receive no monies.

Meeks: The other serious thing is that there will come a day that we're going to have to seek, if the parks are to remain open in Jackson, other methods of funding, because we should be doing more than just paying for operations. We need to look at expanding. We need to look at acquiring new grounds for future park needs. Right now by using the general fund dollars, instead of putting the million three into our operations to keep it

running and keep it beautiful and keep the recreation going, those dollars really should be set aside for future land purchases and we can't do that.

Pizzino: And Mr. Ruwadi will probably tell you, he'd love to have the \$1.3 million. Dave has never gotten \$1.3 million, unfortunately how we fund our parks is with whatever money is left in our general fund. Mr. Gonzalez, you can attest to that and we had a pretty tough time this year just handling the operations end of it which is a little over \$800,000.

Meeks: Without all the projects

Pizzino: Yes, without all the projects. Just so you're aware of what you're paying for.

Meeks: What Jackson residents paid into Stark Parks last year was \$570,000 paid to the levy.

Pizzino: That was a half mil. Now they're going for another mil.

Meeks: Absolutely. Again, I'm not saying that it's not needed, I think that they are doing a great job of building their trails throughout the County, doing as much as they possibly can. It is a benefit to all of us who choose to use those, however, I think our residents need to know that that money goes for that, it does not come back to our parks.

#### **ATTACHMENT 02/12/07 M**

Meeks moved and Pizzino seconded a motion to authorize the Fund Transfer from the General Fund #101 to the Park Fund #214 in the amount of \$213,988.72. **2-0 yes**

Gonzalez: I'd like to say one thing. I see the students in the audience and I'm sure you guys probably have used the parks at one time or another growing up. It does sound kind of confusing, even to me, about the way the parks get funded every year. The simplest I can say it is everybody comes in, police, fire, law department, my office, everybody, asks for everything they want and they all get what their budget is approved at. After that whatever crumbs are left, the park gets. That's the way it works, it's been working that way since the existence of the parks. Whatever happens to be left at the end is what can go back into the parks and every year that number seems to be getting smaller while our parks are getting larger. You know that doesn't work real well.

Meeks: And the other thing that this Board looks at, too, we try to look as far into the future as we possibly can for all our financial needs. One thing that is hitting us real heavy and, it's real, is cuts coming from our State government. The next few years we should be seeing cuts of about \$3 million without any revenue generated to offset that. So we have to look now at how we can offset those cuts through multiple options and we are out there looking at those, whether it's through grants, whether it's through partnering, whether it's through a whole different mechanism of funding, but we've got to do it now so that when we get to that eleventh hour and the money is pulled from us we can't say hey, the only option we have is to cut our parks, close our parks, or make

cuts elsewhere. We don't operate that way. So we're starting that process and we have been working on that process for quite a while.

## **Routine Business**

### **Announcements**

- Jackson Township Board of Trustees will host and attend the Stark County Township Association meeting, February 22, 2007, 6:30 p.m., Township Hall.
- Next regular Board of Trustees meeting, February 26, 2007, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC, March 1, 2007, 9:00 a.m., Safety Center, Chiefs' Conference Room
- CIC, March 19, 2007, 5:00 p.m., Township Hall.
- Zoning Commission, February 15, 2007, 4:30 p.m., Township Hall.
- Board of Zoning Appeals:
  - March 8, 2007, 7:00 p.m., Township Hall.
  - March 22, 2007, 7:00 p.m., Township Hall.
- Citizens Advisory Committees:
  - Park, February 13, 2007, 6:30 p.m., Township Hall.
  - Highway/Traffic, February 15, 2007, 6:30 p.m., Township Hall.
  - Community Celebration, including Board of Trustees, February 27, 2007, 6:00 p.m., Township Hall.

Gonzalez said he would cover the SCOG meeting on Wednesday.

**Old Business** – None

### **New Business**

Meeks moved and Pizzino seconded a motion to accept a \$450.00 donation to the Park Department from Northwest Jackson Soccer League. **2-0 yes**

Boger said it was advertised that bids would be received until 4:00 p.m. so no more bids would be received today. The time set in the advertisement is left over from when we used to open and accept bids until 7:00. The next time the ad was run, he suggested the time be left out and change it to fit the agenda. The Trustees agreed with that change.

### **Public Speaks – Open Forum**

Paul Biedenbach, 4865 Andette Ave N.W., just to go a little bit more on what you guys were talking about the park system. I wanted to make you aware of a situation we have on the west side of the Township and ask for any help that you plan in the future. We have a path worn from Shadycrest through the bog that the children and adults use because the only limited access we have on the southwest side of our Township is either go down Fulton Road or Wales, which are two major roads with a lot of traffic. So there is a spot where you can go through South Park, through the bog and end up on Shadycrest. Well now, in the winter it looks like we're planning on the next parade of homes and that path is now going right into a basement foundation. Years and years ago the farmer didn't mind us cutting through there and staying along the edge of his crop field but now we're losing this and we're looking to see if there's any help to keep any access we can get to the kids who have to stay after school to walk home and not have to take either Wales or Fulton to head to the southwest side. It's an ongoing problem we're having throughout the Township, of course.

Meeks: Has any contact been made with the developer to see if he could give any access, an easement for pedestrian travel there?

Ruwadi: It's my understanding that the State of Ohio does not want access through that area because of the bog.

Meeks: Could you possibly give them a call? Paul's saying there are people using it. See if there's an option that we can look into.

Ruwadi: I will call her. We have a new representative. I'll get with you, Paul.

At 7:00 p.m., Meeks called the meeting back to order for the Highway Department bid opening for Materials.

### **ATTACHMENT 02/12/07 N**

Boger opened the nine bids for materials used on the Township roadways.

Pizzino moved and Meeks seconded a motion to adjourn.

**2-0 yes**

---

Steven Meeks

---

Randy Gonzalez