

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

JANUARY 9, 2012

Pizzino called the meeting to order at 3:37 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald, Hogue and Poindexter present.

Pizzino administered the oath of office to Trustee Walters.

**RESOLUTION 12-001, ATTACHED
SEATING OF TRUSTEE JAMES N. WALTERS**

Walters moved and Pizzino seconded a motion to accept the attached Bond, Oath of Office, Certificate of Oath, Certificate of Election and Fiscal Officer's Notice to Give Bond and Take Oath for Trustee James N. Walters. **3-0 yes**

Pizzino turned the meeting over to Fiscal Officer Randy Gonzalez.

Pizzino moved and Burger seconded a motion to appoint James Walters president of the Board of Trustees. **3-0 yes**

Walters moved and Burger seconded a motion to appoint William Burger vice president of the Board of Trustees. **3-0 yes**

Gonzalez turned the meeting over to Walters.

Walters administered the oath of office to Fiscal Officer Randy Gonzalez.

**RESOLUTION 12-002, ATTACHED
SEATING OF FISCAL OFFICER RANDY GONZALEZ**

Walters moved and Pizzino seconded a motion pursuant to ORC Section 507.03, we hereby approve the attached Bond and Surety for Randy Gonzalez, Fiscal Officer in the amount of \$250,000, and further accept the attached Oath of Office of and Certificate of Oath for Randy Gonzalez, Certificate of Election and Fiscal Officer's Notice to Give Bond and Take Oath. **3-0 yes**

**RESOLUTION 12-003, ATTACHED
ASSISTANT FISCAL OFFICER BONDS**

Walters moved and Pizzino seconded a motion pursuant to ORC Section 507.021 (C) and 407.03, that we hereby accept and approve the attached bond and surety for the Assistant Fiscal Officers in the amount of \$250,000 for each Assistant and authorize the placement of our signatures thereon. **3-0 yes**

ATTACHMENT 01/09/12 A

Walters moved and Burger seconded a motion to set the 2012 Board of Trustees regular meetings on the second and fourth Tuesdays of each month at the Township Administration Building, 4:00 p.m. Executive Session and/or Work Session; 5:00 p.m. General Session. **3-0 yes**

Pizzino explained that in looking at the schedule there were eleven conflicts with the meetings being on Monday.

ATTACHMENT 01/09/12 B

Walters moved and Pizzino seconded a motion to approve the attached committee appointments for 2012.

CIC-Community Improvement Corporation	John Pizzino	Alt. Randy Gonzalez
CLOUT – Coalition of Large Ohio Urban Twps	John Pizzino	Alt. Randy Gonzalez
Department Head Meetings	All Trustees (rotation)	
Labor Management Meetings:		
Highway & Park	Any Trustee	
Office & Clerical	Any Trustee	
Police (Patrol, Sgts, Lts.)	Any Trustee	
Fire (Firefighters, Fire Inspectors)	Any Trustee	
Healthcare Cost Containment Committee:		
Trustee	John Pizzino	Alt. Jamie Walters
Fiscal	Randy Gonzalez	Alt. Debbie Kerr
Recycling Station Board:		
Board Member	Ron Revlock (eff. 6/9/09)	
Trustee Representative	Bill Burger	
LOGIC – Local Governments in Cooperation	John Pizzino, Trustee	
	Dave Zink, Police Chief	
	Tracy Hogue, Fire Chief	
SCOG – Stark County Council of Govts.	Randy Gonzalez	Alt. John Pizzino
Tax Incentive Review Council (TIRC)		
Members	Jamie Walters,	Randy Gonzalez
Alternates	Alt. Neal Fitzgerald,	Alt. Marilyn Lyon
Jackson Township Tax Abatement	John Pizzino,	Randy Gonzalez
Review Committee Members	Neal Fitzgerald,	Marilyn Lyon
Haunted Hayride Committee	All Trustees	
Citizens Advisory Committees:		
Community Celebration	All Trustees	
Highway/Traffic	Bill Burger	
Park	Bill Burger	

3-0 yes

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

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

Upon return from Executive Session at 4:40 p.m., Walters called the Work Session to order.

Work Session

ATTACHMENT 01/09/12 C

Lyon told the Board about an e-mail received from a resident inquiring about the possibility of contracting with one trash hauler for the entire Township.

Pizzino explained that this resident inquired about having one hauler to possibly reduce rates and also to possibly reduce wear and tear on the roads. He said many communities do it. He said he did get a study from Mike Loudiana who was the Safety Director of Massillon and that the study shows that every garbage truck that goes down a road is the equivalent of 1,500 cars.

Walters asked if the contract covered both commercial and residential. Pizzino said usually it was just for residential.

Walters asked Lyon to look into contracting with one hauler and to get current rates.

Gonzalez suggested putting a questionnaire in the Township newsletter and ask residents who they are using and if they would be interested in a consolidation.

Walters called a recess until 5:00 p.m.

At 5:00 p.m., Walters called the General Session to order with all department heads present. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – No one came forward.

Administration Department

ATTACHMENT 01/09/12 D

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature and Fiscal Officer's signature upon the attached 2012 renewal documents with the Ohio Township Association Risk Management Authority and the Board President's signature upon the attached Intergovernmental Contract for the Administration of the Ohio Township Association Risk Management Authority. **3-0 yes**

ATTACHMENT 01/09/12 E

Walters moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5464, Liability Insurance – Police, in the amount of \$1,048.00, from account code 209.250.5387, Discretionary, to account code 209.250.5460, Fleet Insurance – Police, in the amount of \$248.56, from account code 209.250.5387, Discretionary, to account code 209.250.5462, Building Insurance – Police, in the amount of \$590.00, from account code 210.210.5385, Other, to account code 210.210.5460,

Fleet Insurance – Fire, in the amount of \$4,819.46, and from account code 204.310.5387, Discretionary, to account code 204.310.5460, Fleet Insurance – Highway, in the amount of \$1,429.50. **3-0 yes**

RESOLUTION 12-004, ATTACHED

A RESOLUTION OF THE JACKSON TOWNSHIP BOARD OF TRUSTEES TO APPORTION THE TRUSTEE’S SALARY AMONG THE TOWNSHIP GENERAL AND ROAD AND BRIDGE FUNDS PURSUANT TO ORC SECTION 505.24 (C).

Walters moved and Burger seconded a motion whereas, ORC Section 505.24 (C) provides that by a unanimous vote, a board of township trustees may adopt a method of compensation consisting of an annual salary to be paid in equal monthly installments from the General Fund and from other Township Funds in such proportions as the board may specify by resolution; and,

Be it resolved that, pursuant to ORC Section 505.24 (C), this is to affirm that we hereby adopt a method of compensation consisting of an annual salary to be paid in equal monthly payments and which shall be paid from the Township Road and Bridge Fund for services performed for the Jackson Township Highway Department and the remainder from the Township General Fund.

Be it further resolved, that, pursuant to ORC Section 505.24 (C), each Trustee shall certify on the attached payroll certification the percentage of time working on matters to be paid from the Township Road and Bridge Fund with the remaining percentage to be paid from the Township General Fund. **3-0 yes**

RESOLUTION 12-005, ATTACHED

A RESOLUTION OF THE JACKSON TOWNSHIP BOARD OF TRUSTEES TO APPORTION THE FISCAL OFFICER’S SALARY AMONG THE TOWNSHIP GENERAL AND ROAD AND BRIDGE FUNDS PURSUANT TO ORC SECTION 507.09 (C).

Walters moved and Burger seconded a motion whereas, ORC Section 507.09 (C) provides that the compensation of the Township Fiscal Officer shall be paid in equal monthly payments and a township fiscal officer may be compensated from the township general fund or from other township funds based on the proportion of time the township fiscal officer spends providing services related to each fund.

Be it resolved that, pursuant to ORC Section 507.09 (C), upon the attached request of the Fiscal Officer, the Fiscal Officer’s annual salary to be paid in equal monthly payments shall be according to the portion of time the Townships Fiscal Officer spends related to the Road and Bridge Fund and the remainder from the General Fund.

Be it further resolved that, pursuant to ORC Section 507.09 (C), the Fiscal Officer shall certify on the attached payroll certification specifying the percentage of time working on matters to be paid from the Township Road and Bridge Fund with the remaining percentage to be paid from the Township General Fund. **3-0 yes**

ATTACHMENT 01/09/12 F

Walters moved and Burger seconded a motion to approve the attached Street Pole Banner Program as amended, effective 1/9/12. **3-0 yes**

ATTACHMENT 01/09/12 G

Walters moved and Pizzino seconded a motion to approve the continuation of an unpaid leave of absence related to Workers Compensation for Todd Morris from December 19, 2011 until January 19, 2012. **3-0 yes**

ATTACHMENT 01/09/12 H

Walters moved and Burger seconded a motion to approve the adoption of the Certificate of Appreciation to Ralph E. Boger in recognition of your twenty-nine years of dedicated service to the Jackson Township Highway Department and to the Citizens of Jackson Township. Congratulations and Best Wishes in your retirement. **3-0 yes**

ATTACHMENT 01/09/12 I

Walters moved and Burger seconded a motion to amend the Jackson Township Employee Handbook to include the attached Driving Rules & Regulations, Internet & Internet E-Mail, Social Media Policy and attached acknowledgment form. **3-0 yes**

ATTACHMENT 01/09/12 J

Walters moved and Burger seconded a motion, effective immediately, to adopt the attached Amended Benefit Package For Management Personnel which supersedes all previous Benefit Packages For Management Personnel. **3-0 yes**

Fire Department

**RESOLUTION 12-006, ATTACHED
FIRE DEPARTMENT VEHICLE PURCHASE**

Walters moved and Burger seconded a motion pursuant to ORC Section 125.04, we hereby adopt and authorize the placement of the Board President's signature upon the attached Contract with Taylor Chevrolet, Inc. for the purchase of two (2) 2012 Chevrolet Tahoe's as described in the Contract for a total amount of \$59,456.16 which the prices are listed in the State Purchasing Contract. **3-0 yes**

ATTACHMENT 01/09/12 K

Walters moved and Burger seconded a motion to accept the donation of an Odyssey Custom Command Center and two radios to the Fire Department from Marathon Petroleum Company. **3-0 yes**

ATTACHMENT 01/09/12 L

Walters moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5385, Other Expense, to account code 210.210.5480, Telephone, in the amount of \$3,000.00. **3-0 yes**

Walters moved and Burger seconded a motion to accept a \$100.00 donation to the Fire Department from Philip P. and Mary M. Byham. **3-0 yes**

Legal Department

ATTACHMENT 01/09/12 M

Pizzino moved and Burger seconded a motion not to request a hearing on the liquor license to R C L Enterprises Inc. dba Rolandos, 2433 Whipple Ave. N.W., Canton, Ohio 44708. **3-0 yes**

ATTACHMENT 01/09/12 N

Pizzino moved and Burger seconded a motion not to request a hearing on the liquor license to Brown 128 LLC dba Leos Lake Cable Carri Out, Front Portion of Bldg., 5638 Fulton Rd. N.W., Canton, Ohio 44718. **3-0 yes**

ATTACHMENT 01/09/12 O

Walters moved and Pizzino seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with the City of Massillon. **3-0 yes**

RESOLUTION 12-007, ATTACHED PROFESSIONAL DESIGN SERVICES

Walters moved and Pizzino seconded a motion to authorize the advertisement of the attached public announcement for professional design services requesting statements of qualifications until February 3, 2012 and the Township Fiscal Officer is requested to publish the attached public announcement.

Be it further resolved that the second sentence of Part B of the Township Selection Policy for Professional Design and Construction Management Services will now read as follows “the selection policy does not apply if the total estimated cost to provide such service is less than \$50,000.00 and ORC Section 153.71 is complied with.” **3-0 yes**

Police Department

ATTACHMENT 01/09/12 P

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5501, Donated Funds, in the amount of \$18,000.00. **3-0 yes**

RESOLUTION 12-008, ATTACHED DISCIPLINE

Walters moved and Pizzino seconded a motion that on January 6, 2012 a predisciplinary hearing upon a statement of charges was held before Fire Chief Tracy Hogue wherein Chief Hogue found the charges against Police Officer Richard Leon to be founded. Based upon this finding, and based on the investigative report provided to us, the Police Chief's recommendation and pursuant to the negotiated agreement, we hereby terminate Richard Leon as a full time Patrol Officer and Police Constable for the Jackson Township Police District, Stark County, Ohio,

effective January 9, 2012, and authorize the placement of our signatures upon the attached letter. **3-0 yes**

Public Works Department

Highway Department

**RESOLUTION 12-009, ATTACHED
ADVERTISEMENT FOR MATERIALS**

Walters moved and Pizzino seconded a motion to authorize the attached advertisement for Highway Department materials. **3-0 yes**

**RESOLUTION 12-010, ATTACHED
HIGHWAY DEPARTMENT HYDRAULIC EXCAVATOR PURCHASE**

Walters moved and Pizzino seconded a motion pursuant to ORC Section 125.04, we hereby adopt and authorize the placement of the Board President's signature upon the attached Contract with Southeastern Equipment Company, Inc. for the Purchase of one (1) Kobelco Hydraulic Excavator as described in the Contract for a total amount of \$87,196.25 which the prices are listed in the State Purchasing Contract. **3-0 yes**

ATTACHMENT 01/09/12 Q

Walters moved and Pizzino seconded a motion to approve Budget Module No. 2012-12-A, New Equipment, in the amount of \$7,825.00. **3-0 yes**

ATTACHMENT 01/09/12 R

Walters moved and Burger seconded a motion to approve the appropriation transfer request from account code 205.310.5387, Discretionary, to account code 205.310.5652, Equipment – Vehicles, in the amount of \$5,022.00. **3-0 yes**

ATTACHMENT 01/09/12 S

Walters moved and Burger seconded a motion to approve Budget Module No. 2012-32-A, New Equipment, in the amount of \$1,150.00. **3-0 yes**

ATTACHMENT 01/09/12 T

Walters moved and Burger seconded a motion to approve the appropriation transfer request from account code 205.310.5387, Discretionary, to account code 205.310.5652, Equipment – Vehicles, in the amount of \$1,150.00. **3-0 yes**

ATTACHMENT 01/09/12 U

Walters moved and Burger seconded a motion to approve Budget Module No. 2012-33-A, Sandpiper/Hillfield Storm Sewer, in the amount of \$15,000.00. **3-0 yes**

ATTACHMENT 01/09/12 V

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached 2011 Township Highway System Mileage Certification. **3-0 yes**

**RESOLUTION 12-011, ATTACHED
HIGHWAY DEPARTMENT SALT PURCHASE**

Walters moved and Burger seconded a motion pursuant to ORC Section 9.48, 125.04(C), 307.15 and 505.101 we hereby agree to participate in the competitively bid Stark County Winter Ice Control Salt Contract in the amount of \$48.96 per ton dumped at Jackson Township. **3-0 yes**

**RESOLUTION 12-012, ATTACHED
TRAFFIC SIGN RETROREFLECTIVITY MAINTENANCE PROGRAM**

Walters moved and Pizzino seconded a motion to adopt and authorize the placement of our signatures upon the attached Traffic Sign Retroreflectivity Maintenance Program policy. **3-0 yes**

Central Maintenance

ATTACHMENT 01/09/12 W

Walters moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 101.115.5220, Hospitalization, to account code 101.115.5212, Pension Employer's bill, in the amount of \$2,776.56. **3-0 yes**

Park

Pizzino moved and Burger seconded a motion to accept sponsorship donations to the 2012 Community Celebration:

\$250.00 from Aqua Ohio, Inc.

\$500.00 from Buehler's Fresh Foods

3-0 yes

Fiscal Office

ATTACHMENT 01/09/12 X

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$2,338,272.86.

3-0 yes

ATTACHMENT 01/09/12 Y

Pizzino moved and Burger seconded a motion to approve the minutes of the December 12, 2011 Board of Trustees' meeting.

3-0 yes

ATTACHMENT 01/09/12 Z

Pizzino moved and Walters seconded a motion to approve the December 2011 Financial Reports.

3-0 yes

ATTACHMENT 01/09/12 AA

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.150.5804, County Auditor Fees, to account code 101.150.5458, Professional Services, in the amount of \$8,411.00.

3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees meeting, January 24, 2012, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- LOGIC, February 2, 2012, 9:00 a.m., Jackson Safety Center, Chiefs' Conference Room.
- CIC, February 21, 2012, 5:00 p.m., Township Hall.
- Board of Zoning Appeals:
 - January 12, 2012, 5:30 p.m., Township Hall.
 - February 9, 2012, 5:30 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, January 10, 2012, 5:30 p.m., Township Hall.
 - Park, February 7, 2012, 6:30 p.m., Township Hall.
- Stark County Township Association, Jackson Township will host the meeting on March 15, 2012, at 7:00 p.m., at the Jackson Safety Center.

ATTACHMENT 01/09/12 BB

At 5:30 p.m., Walters opened the Public hearing for Zoning Amendment 593-11.

Poindexter told the Board that the property owners, Mark and David Best of 5905 Huckleberry NW, Canton, propose to rezone B-3 Commercial Business District to R-R Rural Residential District, 3.218 acres, more or less, of a 9.45 acre tract located on the south side of Huckleberry at 9642 Huckleberry, approximately 200 feet from the southeast corner of Wales and Huckleberry.

She said it went before Stark County Regional Planning on December 6, 2011 and they recommended approval of a modification. She said the modification is to include a 10 foot strip that was excluded in the rezone area. She said the applicant did modify the request when it went before the Zoning Commission and the Zoning Commission recommended approval of the modification on December 15.

Walters asked if anyone would like to speak in favor of the zoning change.

David Best, 5905 Huckleberry St. N.W., North Canton, Ohio 44720 said he and his brother are the applicants and are requesting the rezone because of the entire tract only a certain section can

be used for housing and septic systems because there is too much water in the ground. He asked that the Board accept the recommendation of the Zoning Commission with the modification to make the entire 9.45 acres R-R Rural Residential.

Patrick Cavalier, 6855 Huckleberry St. N.W., North Canton, Ohio 44720 said his residence is across the street from the tract and that he recommended that the property be rezoned.

Walters closed that portion of the hearing. He asked if anyone would like to speak against the zoning change.

No one came forward. Walters closed that portion of the hearing.

Pizzino said he had no problem with the request.

Pizzino moved and Walters seconded a motion to adopt the recommendation of the Zoning Commission. **3-0 yes**

Old Business – None

New Business

Walters moved and Pizzino seconded a motion to authorize the in house posting for the position of full-time police officer. **3-0 yes**

Public Speaks – Open Forum

No one came forward.

Pizzino moved and Burger seconded a motion to adjourn. **3-0 yes**

James Walters

Randy Gonzalez