

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

JULY 11, 2011

Pizzino called the meeting to order at 4:37 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald, Hogue, Boger and Ruwadi present.

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

Upon return from Executive Session, Pizzino opened the Work Session at 4:47 p.m.

Work Session

Fire Department

ATTACHMENT 07/11/11 A

Hogue presented the Board with the Budget Projections through 2017. He said at the end of 2017 the Fire Department would be \$2,473,409 short with a five year renewal.

Pizzino said after reviewing the information he recommended a four year renewal.

Gonzalez said the Board has been working on alternative ways to provide funds in order to eliminate some of the burden on property owners and replace it with economic development dollars. He said the money may start coming in earlier than anticipated. He said that by 2016 all the money that has been saved will be used. He explained that “by 2016 they would have a better idea of what economic developments deals have been put together and what will happen with the State budget.” He pointed out that Jackson Township has lost \$400,000 to \$500,000 a year that wasn’t anticipated. He said that with a renewal the fire department could probably scrape through 2016.

Chief Hogue said his concern is the equipment. He said by then the equipment will be 15 years old and that they are already having problems with some of the first line pumps.

Pizzino moved and Walters seconded a motion for a four year renewal for the Fire Levy. 3-0 yes

RESOLUTION 11-067, ATTACHED

RESOLUTION ON SUBMISSION OF REQUEST TO THE STARK COUNTY AUDITOR PURSUANT TO OHIO REVISED CODE SECTION 5705.03(B) TO CERTIFY TO THE BOARD OF TRUSTEES OF JACKSON TOWNSHIP, STARK COUNTY, OHIO, AS TAXING AUTHORITY FOR JACKSON TOWNSHIP, STARK COUNTY, OHIO, THE TOTAL CURRENT TAX VALUATION OF JACKSON TOWNSHIP, STARK COUNTY, OHIO AS A SUBDIVISION AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED FOR THE RENEWAL OF AN EXISTING TAX OF SIX (6)

MILLS PURSUANT TO OHIO REVISED CODE SECTIONS 5705.19, 5705.191 AND 5705.25 FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS, OR SITES THEREFOR, OR SOURCES OF WATER SUPPLY AND MATERIALS THEREFOR OR THE ESTABLISHMENT AND MAINTENANCE OF LINES OF FIRE ALARM TELEGRAPH, OR THE PAYMENT OF PERMANENT, PART-TIME, OR VOLUNTEER FIREFIGHTERS OR FIREFIGHTING COMPANIES TO OPERATE THE SAME, INCLUDING THE PAYMENT OF THE FIREFIGHTERS EMPLOYER'S CONTRIBUTION REQUIRED UNDER SECTION 742.34 OF THE REVISED CODE, OR TO PURCHASE AMBULANCE EQUIPMENT OR TO PROVIDE AMBULANCE OR EMERGENCY MEDICAL SERVICES OPERATED BY A FIRE DEPARTMENT OR FIREFIGHTING COMPANY FOR JACKSON TOWNSHIP, STARK COUNTY, OHIO FOR FOUR (4) YEARS, TAX YEARS 2012, 2013, 2014 and 2015, COMMENCING IN 2012, FIRST DUE IN CALENDAR YEAR 2013.

Pizzino moved and Walters seconded a motion whereas, upon due investigation and consideration, the Board of Trustees of Jackson Township has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for said Jackson Township, Stark County, Ohio, for the next four years will be insufficient to provide an adequate amount for the necessary requirements for said Jackson Township, Stark County, Ohio for the purpose of providing and maintain fire apparatus, appliances, buildings, or sites therefor, or sources of water supply and materials therefor or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time, or volunteer firefighters or firefighting companies to operate the same, including the payment of the firefighters employer's contribution required under section 742.34 of the revised code, or to purchase ambulance equipment or to provide ambulance or emergency medical services operated by a fire department or firefighting company for Jackson Township, Stark County, Ohio; and

Whereas, by reason thereof, this board has determined that it will be necessary for the renewal of an existing tax of six (6) mills, which is in excess of such limitation, for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefor, or sources of water supply and materials therefor or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time, or volunteer firefighters or firefighting companies to operate the same, including the payment of the firefighters employer's contribution required under section 742.34 of the revised code, or to purchase ambulance equipment or to provide ambulance or emergency medical services operated by a fire department or firefighting company for Jackson Township, Stark County, Ohio; and

Whereas, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), this Board as taxing authority for Jackson Township, Stark County, Ohio, is required to certify to the Stark County Auditor a resolution requesting that the Stark County Auditor certify to this Board as taxing authority for Jackson Township, Stark County, Ohio, the total current tax valuation of Jackson Township as a subdivision, and the dollar amount of revenue that would be generated by a specified number of mills. In addition, this Board as said taxing authority of said township is required to state the purpose of the tax, whether the tax is an additional levy or a renewal or a replacement of an existing tax and the section of the Ohio Revised Code authorizing submission

of the question of the tax to the Stark County Board of Elections for determination as provided by law.

Be it resolved that the Board of Trustees of Jackson Township, Stark county, Ohio, as taxing authority for Jackson Township, Stark County, Ohio, does hereby determine that it is necessary for the renewal of an existing tax of six (6) mills, outside the ten (10) mill limitation for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefor, or sources of water supply and materials therefor or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time, or volunteer firefighters or firefighting companies to operate the same, including the payment of the firefighters employer's contribution required under section 742.34 of the revised code, or to purchase ambulance equipment or to provide ambulance or emergency medical services operated by a fire department or firefighting company for Jackson Township, Stark County, Ohio, for four (4) years, tax years 2012, 2013, 2014 and 2015, commencing in 2012, first due in calendar year 2013.

Be it further resolved that the Board of Trustees of Jackson Township, Stark County, Ohio, as taxing authority for Jackson Township, Stark County, Ohio, pursuant to the requirements of Ohio Revised Code Section 5075.03(B), does hereby certify to the Stark County Auditor this resolution requesting that the Stark County Auditor certify to this taxing authority, the total current tax valuation of Jackson Township as a subdivision, and the dollar amount of revenue that would be generated by the renewal of an existing tax of six (6) mills for the purpose of providing and maintaining fire apparatus, appliances, building, or sites therefor, or sources of water supply and materials therefore or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time, or volunteer firefighters or firefighting companies to operate the same, including the payment of the firefighters employer's contribution required under section 742.34 of the revised code, or to purchase ambulance equipment or to provide ambulance or emergency medical services operated by a fire department or firefighting company for Jackson Township, Stark County, Ohio, for four (4) year, tax years 2012, 2013, 2014 and 2015, commencing in 2012, first due in calendar year 2013, Ohio Revised Code Sections 5705.19(I), 5705.191 and 5705.25 authorizes submission of the question of the tax at the November 8, 2011 general election.

Be it further resolved that the Fiscal Officer of this board be, and hereby is, directed and authorized to certify this resolution to the Stark County Auditor pursuant to the provisions of Sections 5705.03(B) of the Ohio Revised Code, and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution and the requirements of Section 5705.03(B) of the Ohio Revised Code.

Be it further resolved that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code. **3-0 yes**

Pizzino called a short recess.

At 5:00 p.m., Pizzino 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 – None

Administration Department

ATTACHMENT 07/11/11 B

Walters moved and Burger seconded a motion to approve and authorize the Board President's signature on the SCOG Natural Gas Program Consent Form. **3-0 yes**

ATTACHMENT 07/11/11 C

Pizzino moved and Walters seconded a motion to adopt and approve the placement of the Board President's signature upon the attached Business Associate Agreement with Hammersmith Insurance Agency. **3-0 yes**

Fire Department

Walters moved and Pizzino seconded a motion to accept a \$50.00 donation to the Fire Department from Margaret A. Lines in memory of Richard Costin. **3-0 yes**

Highway Department

**RESOLUTION 07/11/11, ATTACHED
2011 RESURFACING PROJECT**

Walters moved and Burger seconded a motion that we hereby determine that Superior Paving & Materials, Inc. is the lowest and best bidder for the 2011 Resurfacing Project and hereby award a Contract to them in the base bid amount of \$694,712.52 with Alternates A, B, C, E and F in the amount of \$128,505.78 for a total contract amount of \$823,218.30 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract. **3-0 yes**

ATTACHMENT 07/11/11 D

Pizzino moved and Burger seconded a motion to approve Budget Module 2011-17-B for Resurfacing in the amount of \$23,219.00. **3-0 yes**

ATTACHMENT 07/11/11 E

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5606, Resurfacing, in the amount of \$23,219.00. **3-0 yes**

ATTACHMENT 07/11/11 F

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Change Order No. 1 for the Resurfacing Project 2011.

3-0 yes

ATTACHMENT 07/11/11 G

Pizzino moved and Walters seconded a motion to approve Budget Module 2011-17-C for Resurfacing Change Order #1 in the amount of \$6,815.00.

3-0 yes

ATTACHMENT 07/11/11 H

Pizzino moved and Walters seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5606, Resurfacing, in the amount of \$6,815.00.

3-0 yes

ATTACHMENT 07/11/11 I

Pizzino moved and Burger seconded a motion to approve Budget Module No. 2011-31-A for Equipment in the amount of \$1,120.00.

3-0 yes

**RESOLUTION 11-069, ATTACHED
DRESSLER ROAD RESURFACING AGREEMENT**

Walters moved and Burger seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Agreement with the Board of Stark County Commissioners for the resurfacing of Dressler Road.

3-0 yes

**RESOLUTION 11-070, ATTACHED
LAKE O'SPRINGS AVENUE/ BRUNNERDALE AVENUE RESURFACING
AGREEMENT**

Walters moved and Burger seconded a motion that we hereby adopt and authorize the placement of our signatures upon the attached Agreement with the Board of Stark County Commissioners for the resurfacing of Lake O'Springs Avenue and Brunnerdale Avenue.

3-0 yes

ATTACHMENT 07/11/11 J

Pizzino moved and Walters seconded a motion to approve Budget Module 2011-17-A for Resurfacing Jackson Meadows in the amount of \$19,632.00.

3-0 yes

Pizzino mentioned to Mr. Boger that he had concerns about the way the asphalt was going down. Boger said there was a meeting scheduled later this week to determine what is needed to get the streets back into good condition. Boger said the Stark Metropolitan Sewer District will honor what is recommended.

ATTACHMENT 07/11/11 K

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5606, Resurfacing Jackson Meadows, in the amount of \$19,632.00.

3-0 yes

Legal Department

ATTACHMENT 07/11/11 L

Walters moved and Burger seconded a motion not to request a hearing on the liquor license transfer for Buehler Food Markets Inc. dba Buehlers, 7138 Fulton Rd. NW & Enclsd Patio, Jackson Twp, Canton, Ohio 44718. **3-0 yes**

RESOLUTION 11-071, ATTACHED

CITY OF CANTON/JACKSON TOWNSHIP JEDD CONTRACT JOINT PUBLIC HEARING

Walters moved and Burger seconded a motion Whereas, Ohio Revised Code Sections 715.72 to 715.81 specifically authorizes the City of Canton to enter into a Joint Economic Development District Contract (JEDD Contract) with the Board of Trustees of Jackson Township; and

Be it resolved that the City of Canton and the Board of Trustees of Jackson Township shall hold jointly a public hearing on the 22nd day of August, 2011 at 6:00 p.m. at the Jackson Township Administration Building, 5735 Wales Avenue NW, Massillon, Ohio 44646 after providing at least 30 days public notice of the time and place of the public hearing in a newspaper of general circulation.

Be it further resolved that during the 30 day time period prior to the public hearing, the offices of the City Clerk of council and the Jackson Township Fiscal Officer shall make available for public inspection copies of the attached proposed JEDD Contract creating the district and:

- A. A description of the area or areas to be included in the district, including a map in sufficient detail to denote the specific boundaries of the area or areas and to indicate any zoning restrictions applicable to the area or areas.
- B. An economic development plan for the district that consists of both the following schedules:
 - 1. A schedule for the provision of the new, expanded, or additional services, facilities, or improvements described in division (A) of section 715.74 of the Revised Code;
 - 2. A schedule for the collection of an income tax levied under division (C) of section 715.74 of the Revised Code.

Be it further resolved that the Fiscal Officer publish the attached newspaper notice. **3-0 yes**

Zoning & Planning Department

RESOLUTION 11-072, ATTACHED

NOXIOUS WEEDS-.67 ACRE PARCEL ON PORTAGE STREET NW, PARCEL NUMBER 16-26984.

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 Mid Ohio Securities Corp. FBO Dolores Weimer IRA in Jackson

Township, described as follows: .67 acre parcel on Portage Street NW, Parcel Number 16-26984.

Be it resolved that said Mid Ohio Securities Corp. FBO Dolores Weimer IRA, whose tax mailing address is PO Box 230, Lakemore, OH 44250, 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. As stated in our prior courtesy letter to you, 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 11-073, ATTACHED

NOXIOUS WEEDS-9182 RUBY RIDGE STREET NW, EMERALD ESTATES ALLOTMENT #1, LOT 39, PARCEL NUMBER 16-26664.

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 Kim R. Abel, Trustee in Jackson Township, described as follows: 9182 Ruby Ridge Street NW, Emerald Estates Allotment #1, Lot 39, Parcel Number 16-26664.

Be it resolved that said Kim R. Abel, Trustee, whose tax mailing address is BAC Tax Services Corp., 2375 N. Glenville Dr. TX 2975 02 01, Richardson, TX 75082, 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. As stated in our prior courtesy letter to you, 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**

ATTACHMENT 07/11/11 M

Walters moved and Burger seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby make 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 serviced 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>\$600.00</u>
TOTAL	\$750.00

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 07/11/11 N

Walters moved and Burger seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby make 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 serviced 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>\$600.00</u>
TOTAL	\$750.00

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 07/11/11 O

Walters moved and Burger seconded a motion that the Jackson Township Board of Trustees, Stark County, Ohio, hereby make report and certifies that on the 16th 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 serviced 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**

Fiscal Office

ATTACHMENT 07/11/11 P

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$748,887.60.

3-0 yes

ATTACHMENT 07/11/11 Q

Pizzino moved and Burger seconded a motion to approve the minutes of the June 27, 2011 Board of Trustees' meeting.

3-0 yes

ATTACHMENT 07/11/11 R

Pizzino moved and Burger seconded a motion to approve the June 2011 Financial Reports.

3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees meeting, July 25, 2011, 4:00 p.m. Executive Session and/or Work Session, 5:00 p.m., General Session, Township Hall.
- LOGIC, July 14, 2011, 9:00 a.m., Safety Center, Chief's Conference Room.
- CIC, August 15, 2011, 5:00 p.m., Township Hall.
- Board of Zoning Appeals, July 14, 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, every Thursday through September 29, from 3:00 – 6:00 p.m., Jackson North Park.
- Jackson-Belden FoodFest & Fireworks and Pro-Football Hall of Fame Enshrinement Festival Balloon Classic Invitational, July 29 & 30, 4:00 – 11:30 p.m., Kent State Stark Campus, 6000 Frank Road NW.
- Police Department – National Night Out 2011, August 2, 2011, 6:00 – 9:00 p.m., Target Parking Lot, Dressler Rd. NW.

Old Business

ATTACHMENT 07/11/11 S

Walters moved and Burger seconded a motion to adopt the attached organizational chart for the Jackson Township Public Works Department, effective August 13, 2011. **3-0 yes**

Walters said “this is a very important step for the Township that we are taking here, as budgets continue to be tightened with loss of dollars from the State of Ohio. This is simply the next step that this Board has taken over the last three plus years and really beyond that, but this Board over the last three years, to continue to stretch our tax dollars. We are working hard and all of our employees are working hard to continue providing the services our residents expect but do it at a lower cost and continue to reduce those costs wherever and whenever we can. And so this reorganization and consolidation, eliminating several department heads, putting them under one Public Works Director, is going to provide substantial cost savings to the community, I think, without really any impact on the services that we are going to continue to provide. So I thank Mrs. Lyon, the Board, Mr. Gonzalez and all the department heads that have worked with us and our employees that are working with us to continue reducing these costs.”

Gonzalez said “Jackson Township, you have probably read newspaper stories about the State Budget coming out, Jackson Township is going to lose \$3,000,000 a year. We’re the hardest hit in Stark County. Three million dollars is tough to make go away. The cuts that they’ve made and the projects they are planning, as Jamie said, I believe will keep our level of services as they were but it’s going to be tough after losing three million dollars.”

RESOLUTION 11-074, ATTACHED CENTRAL MAINTENANCE FOREMAN

Walters moved and Pizzino seconded a motion that the position of Central Maintenance Director is hereby replaced with the position of Central Maintenance Foreman.

Be it further resolved that pursuant to ORC Section 511.10, we hereby reassign Carles D. Moore to the full-time position of Central Maintenance Foreman at the compensation rate of \$24.04 per hour and at Level B of the Benefit Package for Management Personnel, effective August 13, 2011. **3-0 yes**

RESOLUTION 11-075, ATTACHED PARK MAINTENANCE AND GROUNDS FOREMAN

Walters moved and Pizzino seconded a motion that the position of Jackson Township Parks and Recreation Director is hereby replaced with the position of Park Maintenance and Grounds Foreman.

Be it further resolved that pursuant to ORC Section 511.10, we hereby reassign David R. Ruwadi to the full-time position of Jackson Township Park Maintenance and Grounds Foreman at the compensation rate of \$24.04 per hour and at Level B of the Benefit Package for Management Personnel, effective August 13, 2011. **3-0 yes**

New Business – None

Public Speaks – Open Forum

Mark Denmeade of 8501 Nearwood Street, Massillon said he has spoken with Trustee Burger and Mr. Boger about the sewer line that runs behind his property. He said when there is a bad storm, water shoots out on his property.

Larry Dempster of 8484 Traphagen said he has seen the same problem. He said there is a depression on his property along the line and he suspects there may be a break in the line. He said the problem is getting worse.

Trustee Burger and Mr. Boger agreed the problem is getting bad. Mr. Boger said the line and catch basin have both been cleaned out. Mr. Boger will continue to monitor this problem.

Mr. Denmeade also had a problem with trees on his neighbor's property which hang over his house. He asked what he could do about getting the overhanging limbs removed. Mr. Fitzgerald recommended that he speak with his attorney and insurance company again.

Darla Bruno of 6519 Pebble Creek Ave. NW. asked the Board if they would work with the surrounding communities who are in the process of trying to find a way to ban horizontal hydraulic fracture drilling.

Renee Bogue of 204 Willow Ave. N. E. wanted to reiterate what Ms. Bruno said about fracking. She said she has been working with Massillon City Council on drilling issues in the city. She pointed out there are a number of problems with fracking. She described the drilling process and some of the problems caused by the waste water.

Highway Department

Boger opened the bids for the 2011 Striping Project.

Mar King Construction	\$42,202.34
J D Striping & Services Inc.	\$39,217.50
A & A Safety	\$40,976.36
Oglesbay Construction Inc.	\$47,417.34

At 5:44 p.m., Pizzino opened the Public Hearing for Zoning Amendment 587-11. Universal Development Company requests to re-zone from B-3 (Commercial Business District) and R-R (Rural Residential District) to R-3 (Residential Planned Unit Development) 63.58 acre, more or less, located on the east side of Wales Road, north of Nancy Jo Street.

ATTACHMENT 07/11/11 T

Poindexter told the Board the Amendment has been approved by the Stark County Regional Planning Commission. She said the Zoning Commission recommended denial of the re-zone by a 3 to 2 vote.

Peter Acker, general counsel for Universal Development Company, 1601 Motor Inn Drive, Girard, Ohio explained to the Board the development company's plans for the property. He explained to the Board who their primary clientele is. He pointed out some of the benefits of this type of investment to the community. Mr. Acker described the plans for the community.

James Hixson the current owner of the property admitted he is a little biased but said he "thinks it is a win situation for Jackson Township." He pointed out that there would be more tax revenue received from the homes than from his farm. He gave the Board several other reasons in favor of the re-zone.

Cliff Miller said as long as the zoning was moved 75 feet it would allow him to build on his property.

Pizzino asked if anyone else would like to speak in favor if the project. No one came forward. He closed that portion of the hearing. He asked Poindexter to explain the differences in the zoning classifications. She said with an R-R development, the developer submits the plans to RPC and as long as the plans meet all the zoning requirements the developer "can come in and build it as such". She said with the PUD "the plan that you see, if approved, that is what they have to build". She said if the developer wants to change anything on the plan it has to come back before the Trustees for approval before it could be changed and the residents would also be notified.

He asked if anyone would like to speak against the amendment.

Julianne Geltz of 7037 Elaine Ave. said her property borders this development. She said she spoke at the zoning commission meeting and gave her points of view there. She said after receiving the letter from Mr. Acker she needed to say something. She said the neighbors who attended the zoning commission meeting did not want this development in their backyard. She said "I just think the decisions on these kinds of things should be left to our elected officials rather than someone coming in and telling us what we should have and need to have".

Bob and Chris Kurtz of 7009 Hillway said he didn't attend the zoning commission meeting and that he "didn't have an opinion one way or the other" about the development. He said that the second letter received seemed like an ultimatum.

Mary Cavalier of 6855 Huckleberry spoke about her concerns about losing green space and wildlife. She said there is enough diversity in the township.

Shirley Donze of 6613 Huckleberry spoke about a street from the development coming out at the curve on Huckleberry. She said there has been an increase in traffic and accidents on Huckleberry. She also asked about the water retention basin.

Peter Acker explained about the emergency road using part of the road to the existing gas well. He showed her on the map where the retention basin would be and explained that it was not close to the road.

Brent Everhart of 6959 Elaine owns the property at 7009 Elaine, said he was concerned about merging the R-R area to the R-3 PUD. He asked about the information in the literature about the developer allowing leases for three months.

Pizzino closed this portion of the hearing.

Peter Acker explained that Universal has both apartment projects and condominium projects. He said the apartment projects are generally one year leases but they also do three and six month leases. He said he was not aware of any condominium project that they provide leases on. He said currently there is a 42 inch culvert that the County is directing them to utilize.

There were some additional questions and discussion on reasons for re-zoning one section and the emergency entrance.

Pizzino closed the hearing.

Walters moved and Burger seconded a motion to deny the recommendation of the Zoning Commission with the modification of the exclusion of the 75 x 200 foot area in the SW corner.

3-0 yes

ATTACHMENT 07/11/11 U

Pizzino opened the Public Hearing for Zoning Amendment 588-11 at 7:09 p.m. Jackson Township Zoning Commission requests miscellaneous text changes, including but not limited to, recreational uses, skill gaming room/internet café, signage, and permitted uses.

Poindexter explained what modifications were recommended by the Stark County Regional Planning Commission and the decisions and reasons for the decisions of the Jackson Township Zoning Commission.

Walters moved and Burger seconded a motion to accept the recommendation of the Zoning Commission.

3-0 yes

Walters moved and Pizzino seconded a motion to adjourn.

3-0 yes

John Pizzino

Randy Gonzalez