

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

MARCH 26, 2007

Meeks called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Chief Neftzer present.

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

Upon return from Executive Session, Meeks opened the Work Session at 5:16 p.m.

Legal Department

Fitzgerald: I was asked to look at the annexation agreement.

Meeks: No, don't use that word.

Fitzgerald: Anti-annexation. All right, the agreement. Basically I took what North Canton last proposed and I lined it up more along the same lines that Plain Township has been talking about with North Canton. I've put it in the same type of context that a cooperative agreement would be negotiated. And it talked about no guarantees now. The only things that I put in, and I bolded them, the first one is Clause B, the water line agreements. They put a moratorium on in 2004, they wouldn't put any more of the clauses in agreements from then on. In the past, during talks, we asked that they take it out of the agreements they have now, to get rid of them. That's one difference. The income tax provision is pretty standard language. Randy and I have talked about that with them before. I put that back in. The only other thing I have that's up to the Board to talk about is, we originally had a one year period in which they wouldn't consider, initiate or go after any annexations for one year. In the last agreement they proposed, they put what they have as an impasse clause, which says that if either party feels that this is not going anywhere they can get out of it. That could probably happen within the one year period, so I thought we might want to approach them not to have that in there, just have a one year period.

Gonzalez: They did.

Meeks: Well to be honest with you, all this is saying is that we're looking for a one year time period to enter in any cooperative agreement talks for what could benefit or would benefit our community and their community. Is that not correct?

Fitzgerald: Yes. That's what it says.

Meeks: And in this one year period the water agreements are null and void and at the end if we do not enter in an agreement with them or them with us then everything goes back to status quo.

Fitzgerald: Right now they have a moratorium in their agreements from 2004 on. That would continue but the way they wrote this, the one in the current agreements, the ones that already exist, they would not enforce that during the one year period. It puts it on hold.

Gonzalez: Right. But it all goes off the table if we don't execute an agreement within a year.

Meeks: This does not bind us to anything other than coming to the table willing to listen to what they have to say. It gives us that authority. Okay.

Fitzgerald: Right.

Gonzalez: When Steve and I met with Jim Repace and E. J. Wise, we told them we felt very strong about the two paragraphs in bold that Neal put back in. Paragraphs B, the water line agreement, in their last version they wanted to take that out and D, the income tax one, they took completely out. We told them we felt real strong, about putting those back in, particularly the water line agreement. Steve and I argued and argued that point and expressed why we felt so strong about them. Then Plain Township and Mr. Giavasis is in the audience, faxed me a copy of their agreement because what's going on, they're trying to execute this at the same time and there may be parcels of Jackson that may come into play in part of their agreement. I felt it was important that in reading Plain's they struck those two paragraphs out of theirs, too, and today I brought it up to Lou that those were struck and they need to put them back in and that we should be on the same page – the two townships – with the city. When we've met with North Canton, they told us Plain Township didn't have those water agreements, well, today Lou confirmed that they do have water agreements. Did you want to comment on that, Lou?

Giavasis: The reason why we originally struck those two paragraphs out of there was because we have a Canton water line on the hill also and the area where we're most likely looking at is separated by the railroad track which is now the Canton Municipal boundary. So North Canton's water agreements on the west side of those railroad tracks are moot because North Canton can't become contiguous with any of that land on the other side of those tracks unless we enter into some type of a mutual arrangement that's going to involve Jackson Township.

Gonzalez: That's an even better reason why they should tear them up then.

Giavasis: I agree. If we entered into a type of agreement that we're rapidly approaching, we're going to need some of those water agreements to get that agreement accomplished.

Gonzalez: I guess from what Mr. Meeks and I discussed with them that day, if we can't all get on the same page, I don't think we're going to be executing an agreement with them.

Giavasis: And that was my exact conversation with Mr. Repace today on the phone, too, that we all have to be on the same page or this is going to go nowhere for all three of us. And I think we have an opportunity here for all three communities to work some agreements that are going to protect our boundaries and our tax bases for a long, long time into the future, as long as we can get North Canton's administration on the same page.

Gonzalez: Bill and John, one of the things we did discuss was a JEDD. Mr. Meeks and I expressed emphatically about, I think we all know what's going to happen to our incomes. One of the things we've looked for is alternative sources of income short of continually hitting our home owners for more property taxes, and that we could work in some joint economic development districts toward the airport. When Shuffel opens and there are some things Senator Schuring's been looking at for us that we could probably do some joint projects with North Canton while sharing income tax with them. Of course Mr. Meeks has been asking for a little more income tax than they're willing to give, but it's a good starting point. So as we would develop some of those areas and bring in businesses we actually could share that income tax from the new businesses. There would not be any from existing businesses.

Meeks: I have just one point of clarification, Neal, because as I read the economic development plan from North Canton and I've asked Marilyn to go get a copy of it, they reference in their clause 11 on their water agreements not 10. I just want to make sure that it isn't like paragraph 11, clause 10 or whatever it is, so that there isn't some kind of quick willy approach there.

Fitzgerald: We need to make sure it is clear.

Gonzalez: That was in that thing I sent you today.

Giavasis: Yes, I read that in the paper.

Fitzgerald: Attach it.

Meeks: We need to make sure apples and apples here.

Fitzgerald: We can check that, but if we didn't we can attach it.

Gonzalez: We've always referred to it as paragraph 10 and theirs says clause 11, so maybe its clause 11, paragraph 10, but you really need to clarify that.

Pizzino: We just need to stress the (indecipherable).

Fitzgerald: Yes. Thanks. Yes, that's a good point.

Meeks: But again in going over some of what Randy has already said, this is just one of the options that are on our table to look at, another revenue generator. Because as we all know and it is real the State cuts that are coming to all of our communities, we can't wait for that 11th hour and try to offset those cuts. Because if we do nothing and we let them happen, we have to take safety first, then our roads, our parks are the first to go and I don't ever want to see our parks hurt in any way. So this doesn't bind us, all it does is clear the table for both communities to sit down and enter into talks about what can benefit, actually all three of our communities, and I think that's what should be done. We should look and work together on strengthening what we presently have and if we can share to build our communities, then we should do so.

Giavasis: Absolutely. And in light of some of the controversy, we were at North Canton City Council's meeting when we met the last time and the accusations that were raised about doing things wrongfully against the open meetings act. I think this agreement opens the table to both sides to be able to sit down openly and come to these discussions. Whether we can come to agreement or not, that remains to be said, but at least we have the door open now where we can try to do something.

Gonzalez: But are you going to be on the same page with us in trying to get these agreements lined up in the same language.

Giavasis: Absolutely, 100%. I think it would be crazy to have two separate agreements on the table because

Gonzalez: Especially when we're talking about the same areas.

Giavasis: And I don't think after talking with Mr. Repace on the telephone tonight that's going to be too much of an obstacle. At least for the period of time of the agreement and I think that the agreements probably should run during the same time frames so that way they expire at the same time.

Gonzalez: All right, we should just do it back to back. I would like to see that. We're going to send this to them is the next step, Lou. But we just have

Giavasis: Tonight's their meeting to have their third and final reading on the agreement that we proposed. If there's going to be any type of language to that paragraph 10, if you guys could get that to me, then I can present it to city council tonight and have them amend it before their third reading and try to get that passed tonight.

Gonzalez: If the Board agrees tonight, we can send this agreement as is.

Meeks: I'm just a little leery. I just want to make sure that clause 10 and paragraph 11 are talking the same language.

Gonzalez: You can check that.

Fitzgerald: I'll get it.

Meeks: Marilyn went, that's where she went.

Fitzgerald: I have one on my table downstairs.

Pizzino: Go get it.

Gonzalez: That would be a good idea. Are you going to go over there?

Giavasis: Yes, maybe I can get them to amend that this evening.

Gonzalez: Well, you can take ours with you then, if the Board agrees. What do the other Board members say?

Pizzino: Well, I expressed my concerns to Neal; you know I was concerned about the water agreements. Everything basically was put back in. I was concerned about the two or three properties that we were talking about and I'm concerned about those water agreements.

Giavasis: Lisa even said today that you've brought up some good points that need to be brought to the city's attention on our part that we overlooked.

Gonzalez: Who did?

Giavasis: Lisa did, when she looked at it.

Gonzalez: That's good. When we met with them, it was about two hours, on that water line agreement, E. J. was border line. I don't know what they're going to do.

Giavasis: Well I think Plain and Jackson right now are in a position to negotiate strongly because with the situation facing the city with North Canton and their economic base. Either they're going to cooperate with us or the chances are they are going to come away from the table with nothing.

Gonzalez: And from our side, Shuffel's going to open within, well the date keeps getting pushed around, but when it does, that area's going to explode, there's a port authority up there, a foreign trade zone and a free enterprise zone, all that. North Canton has a big investment in water lines up there, so from our standpoint, instead of fighting with another community about bringing a new business in we have a company right now that's talking about expanding in one of our areas and they're looking at us versus Summit County. So we're going to have to put together a package and market Jackson, why wouldn't we be marketing those areas together while sharing those income taxes and sharing providing the services?

Pizzino: I think the people you're talking to, from what Neal tells me, they see the benefits, not only for Jackson, but for North Canton. And if Jackson and Plain get together with North Canton, we're all going to be winners. If anything happens and we don't sign this, it's just going to be a battle, not only will they have to battle with us, they'll have to battle with you (Plain).

Giavasis: Well, we're facing a two sided battle from Canton and North Canton. Right now, fortunately, you only have them coming, directly, from one direction which would be the city of North Canton.

Pizzino: It's pretty tough for them to come across that line. We take care of our businesses and industrial parks and we have a good rapport with them. They need a reason to change and right now I don't think they can give them a reason to change.

Gonzalez: I was asked by the Ohio Township Association in the next week or so to go down there and testify in front of, I believe it's the Senate, could be the House, I don't remember

which one, on the bill that's going to do away with the estate taxes. Looking at Jackson Township and all we have done with estate taxes is the reason they asked me to go down. We have a 12 million dollar safety building built exclusively with estate taxes, cruisers, fire trucks, part of a fire station, and a 2.5 million dollar highway/maintenance department over there, all paid for with estate taxes. Take that away, don't give us anything to make up for it and I don't know what we'd do.

Giavasis: Jackson Township receives a lot more from that than we do because of the businesses that you have out here. It's going to hurt all of us. It's going to hurt all of us, greatly.

Pizzino: Well, I mean, they're going to have to find a way to fund us. I mean, thank God, the Board has passed this capital budget to do these projects but wait and see, what happens over the next 50 years if we keep losing funds without methods of making them up.

Gonzalez: That's what I mean. Our millage would be through the roof. We'd be in the shape the schools are in if we had to build all those buildings and buy all that equipment.

Pizzino: Our buildings will last for 50 years but then what?

Gonzalez: The estate tax is a bad tax, I think we all agree, and I am all about less taxes. Although, if they take it away they must find us a way to replace those lost funds.

Meeks: I just want to make sure we cover all of our bases, because it does state on investigating clause 11 on certain properties the original water extension agreement.

Fitzgerald: It's clause 10 in ours, but I also put in the language, clause 10 or any other clause, then we repeat the language, the exact language that's in the annexation petition language. I think we're covered.

ATTACHMENT 03/26/07 A

Meeks moved and Pizzino seconded a motion to authorize North Canton to receive the updated proposal as attached. **3-0 yes**

Gonzalez: One of the issues I should have mentioned on the tax, Steve felt very strongly that if we were ever incorporated or the legislators gave us ability for our own income tax we need to protect our residents now in this agreement so they would not be taxed double in any area we did with North Canton.

Meeks: Well that's what I said, if we were ever to incorporate that any agreements that we have existing with any neighboring community would be null and void.

Gonzalez: Can you give Mr. Giavasis a clean copy of that, Neal?

Fitzgerald: Yes. I want to put the one year clarification in it. Are we finished here? Do you have a minute? I'll make a copy for you.

Giavasis: Maybe I can get them to amend the one that they're going to pass for us tonight. That way it will make yours go a little quicker.

At 6:00 p.m., Meeks 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

ATTACHMENT 03/26/07 B

Randy Cupari, 2044 Kingscote Circle, North Canton, Ohio, the reason I'm here today is to explain a situation that has occurred to our Jackson Jayhawks Baseball Club which is an organization that's been in existence for 12 years in the Township. This is our 13th year. There are some key points I'd like to make and I don't know how many folks up here need copies.

The first point is for the past 12 years we've had Jackson Baseball Association schedule games for us. They request the number of teams that we have and they include us in their Massillon schedule and that scheduling process has worked great for the last 12 years. And actually we thought it worked great this year, our 13th year, up to a point.

The second point is the total number of boys playing baseball in Jackson Township has not increased over the past 10 years. I know the Township is experiencing a lot of growth but if you look at the numbers from year to year it really hasn't gone up that much and I believe that's because of other sports and activities available for the boys.

We were asked on February 22nd by the vice president of JBA, and he sent us an e-mail in writing, of our preference of game dates for our 7 teams. We responded to that request, we gave him the preference and between March 5th and March 7th, each age group, there were three age groups, were issued to us via e-mail and also all the JBA travel teams, there are 14 JBA travel teams and 7 Jackson Jayhawks travel teams and one other travel team that's not associated with either group. All of the teams, including the JBA travel, and the other team scheduled their home games in accordance with the published field allotment. That happened on March 10th. It was a major event. In ages 9 through 14 there are 130 different teams from Northeast Ohio that schedule games. On March 19th we received an e-mail from JBA telling us that even contrary to the schedules that they had published, that their needs had not been met. What that does to our organization is we face a reschedule of our 7 teams, 70 home games, narrowing it down to two available fields with 70 different opponents. Our teams schedule with teams as far away as Niles, Ashland, and Dover and Hudson. I mean, it's not a local thing. It's a very difficult thing to accomplish. As a result of this, we anticipate some of our games will have to be forfeited due to league rules and also some umpires that have already been scheduled will have to be paid per their request.

One of the fields that were given to us as part of this reschedule, if you will, is Sauder field. Sauder field is in poor condition because no one has used that field for game situations as long as I can remember. It's been primarily used as a practice field. There are different issues with the

field, there's football practice there during high school football games, there's cars that are parked in the outfield which creates ruts in the outfield which is not a safe issue for the kids running around out there. You can't really recognize where the infield starts and the outfield stops, it's just kind of one big mud hole mess. It's just not ideal for kids playing baseball, especially when you have teams traveling a couple hours' drive to Jackson Township. They expect to play on a decent field. That field will always be substandard to every other field in the Township.

There's also a problem with having just two fields of field setups. We have kids from ages 9 to 14. There's four different set ups, three of them are major involving base paths, base lengths, some fields require mounds, some don't and it's just very difficult to put four different age groups on two fields. Three fields would be more acceptable and ideal for the situation. Also currently lacrosse is being played on Sauder field, there's a lacrosse net in center field, there's a lacrosse net in left field and there's a field goal post in right field.

The next issue is a precedent, we feel, has been set. The park rule which has been interpreted and enforced by the parks director for the past 13 years, including this year, has been followed and if you look at the facts there's many playing opportunities for everyone, it's been fair and we're here to request that the Township act positively on our request to keep our existing game schedule in place so our kids can have another positive year. If I could I'd like to turn this over to Mr. Harold Shade. We did a field utilization study and I think he'd like to share the results with you at this time.

Also I have a copies here of the communication during the field scheduling process.

Harold Shade and I'm the 12 U Jackson Jayhawk coach. Before I make any comments relative to the scheduling situation on behalf of the Jayhawk organization, I'd like to make a couple other observations that have nothing to do with either one of the ball clubs, either JBA or the Jayhawks. My background, and I normally wouldn't give this but I think you need to have that information to inform your judgment, I've been a high school principal, a guidance counselor, athletic director, I've coached all four sports at the college level, at the high school level, I've been the dean of Tuscarawas Campus for 26 years. My experience in seeing these kinds of things happen is routine. I worked in business and industry as a VP for human resources and continuous improvement. We're faced with these kinds of dilemmas all the time. What I see here is a divorce happened back 13 years ago from the JBA, when the JBA split. The wounds from that split have not been healed to this day. I live in Tuscarawas County, I drive up here four days a week, eight months of the year for four years in a row now because I love these Jayhawk kids that I'm associated with. We teach them it's not what you have or what you do, it's who you are. That's what I'm trying to teach. I would not be here if I thought this was an ethical situation. I think it's an unethical situation. If I did not support the kids on what I'm teaching them then I don't believe that I should represent them anytime. So I feel that I have to be here to represent all the boys in Jackson Township, I help assist on a basketball team here, a travel league and I've coached for four years, two years in the JBA and two years in the Jayhawk organization. So I've seen all of it and stepping back I can observe lots of things.

I think there's a tremendous amount of gamesmanship going on in this community relative to baseball. That has got to stop if all the kids in Jackson were going to benefit by the programs that are in place. I think both programs are dynamite programs, I think they both have wonderful men, I've seen the good and I've seen the bad. But until that is cleaned up and the gamesmanship is stopped, we're going to be here once a year because the Jayhawk team shouldn't even be here tonight. This process of scheduling does not even involve us until after, according to rule 101.17 of your own rules and regulations, we're not involved until after JBA schedules. They did that. They energized us, we went out and scheduled 150 games, got officials assigned to them, we've done everything that we should do for our kids but two weeks later we find that our schedule is not good any more. That's not ethical, that's poor behavior on adults' part. What do we go back and tell our kids? Someone may be sitting here, I asked our kids not to come. I don't want them to hear this kind of stuff. I don't even want to be here.

We'd hoped we could settle it last night, we met and tried to do it. There's no middle ground to this issue right now with the way things are going. So what we do is we're saying to you all that we do not accept the JBA vote that came in that they're trying to assign us fields when they don't even have ownership of those fields. Those fields belong to you. Why are they voting on anything? They have a scheduler, if they followed protocol and protocol has been terribly followed in this whole issue. The issue started at the top with the Trustees and then went down and, to me, that's inappropriate for those who did that. That's not the way you do business. If protocol had been followed, we wouldn't be here tonight because the process would have taken care of itself. But here we have to defend the rights that we legally have according to your rule 101.17 and all we're doing is asking you to look at the rule, read the rule, determine what the word 'needs' means in the rule because the needs right now the word needs is being interpreted very broadly. Hadn't been interpreted that way for 13 years but this year for some reason it's being interpreted a lot differently. Why, I don't know. I consider it gamesmanship. Why would anybody pull the rug out from under an organization in the last hour and make this happen. It put a hardship on our kids, we feel our 70 families and our 70 kids are just as important as JBA kids. But that's not the position that's being taken right now. So what I did is I did a study and for what its worth you have it there in front of you. I call this a field utilization study, now I'm not going to, it's three or four pages, and I'm not going to read this and I'm not going to go over every number that's on it because I don't think that's necessary. But I do want to read the first paragraph and then I want to paraphrase thereafter.

Jackson Township has provided 11 baseball fields for the use by boys youth baseball ages 9 through 14. Even though the Jayhawk club does not have the responsibility for scheduling these youth groups, we decided to do our own field utilization study and by the way I believe if protocol had been followed the JBA would have come back up through the protocol properly and submitted something to you all, not to you but to Dave Ruwadi, saying what the needs are. That didn't happen. So since that has not been done that as far as I know if you have documents from them defining the position they've taken saying that we're eliminating their player opportunities for their kids, just their kids. I don't speak in terms of just JBA kids and just Jayhawk kids. They're Jackson Township kids and my comments are taken from that particular point.

The following represents our numbers the best that we can determine. And I want to say we looked at three organizations in this. We looked at the JBA in-house, we looked at the JBA

travel, and we looked at the Jayhawk travel. The study was done using the number of games played per week per field, the number of available fields, and the number of weeks of play. Due to the tournaments that occur early in July, we did not count those weeks as playable weeks for the league. I cited four options, obviously I'm not going to go through all those but I am going to give all four options the first time but I'm not going to discuss them again as we go through.

There are several options, four of them, that I believe are doable. Five nights per week, five games on Saturday, currently we have four, and three games on Sunday afternoon, those times are never scheduled.

Five nights per week, five games on Saturday and none on Sunday, because the JBA will tell you they need some rain make up dates. And that's true.

Four nights a week, none on Friday, five on Saturday, nine games per week and you can see highlighted there the number of game opportunities that would make for the Jayhawk organization to schedule the fields. The one that they currently use is five nights a week, four games on Saturday, nine games per week times 11 weeks, times 11 fields and that does not include Sauder which I don't even consider a baseball field. That's 1,089 scheduling opportunities. One thousand, eighty nine. Now if you turn the page you'll see the three entities that we have. We have the JBA in house program, the JBA travel program, and the Jackson Jayhawk Club. The in house program for the JBA has nine and ten, they have 18 teams, that's down four teams from last year, but they still can't meet their needs this year and last year they did. That's 180 games that they need to play and schedule. Eleven and twelve year olds, there are 10 teams and 20 games divide by two and you have 100 games. Thirteen and fourteen need 44 games, their travel program needs 140 games and our organization needs 70 games. Now if you total that up you get 534 total needed games spots. Well we have 1,089. When you do the percentages on that and I'm only going to do the percentages that you have in front of you for the last option which is the model that the JBA uses now. Five hundred thirty four needed dates plus 1,089 from which to schedule, we're only utilizing 49% of our fields right now. And yet we hear that somehow the Jackson Jayhawk organization is keeping the JBA boys from playing opportunities. It's not about the JBA boys, it's about all the boys. If these figures are remotely close to the actual numbers it is evident that we are not in need of additional fields or have a need to squeeze the Jayhawk kids out of their rights to the same field opportunities as used by the JBA players. Unless I've gotten entirely wrong numbers and I don't believe I have, that's pretty telling. Gamesmanship.

We talked about Sauder. If Sauder can be used, I'm saying if they're short of practice time and so forth why don't they fix up the field? We volunteered last night to help them. We'll go get shovels and things and we'll rake and we'll do whatever we have to. Our coaches will go help do it. Get Sauder in shape, give it to their scheduler and let them have that field if their short of dates. We don't care. We just want to help the kids in Jackson Township. That's what it's all about. Both organizations are going to sometime learn to come together and cooperate and I don't know how we're going to do it but I wanted to tell you that, I keep using the word gamesmanship, and I want to read what I think. For gamesmanship to flourish, the process must be able to leverage authority normally by not following protocol or due process. I see that going on here. The schedule, what I've just read to you, with 49% utilization, I don't know what else

to call it. Gamesmanship. I don't know why, at the last minute, they're using this term that they don't have enough playing opportunities for their kids. They do. It's evident that they do. Now they can come back and I would ask them to come back, I think if this is not the true representation that you all need to make it a true representation by asking them to do some kind of utilization. That's what they should have done to start with to tell you that they have needs and then let you all make the decision instead of the JBA board. They don't have anything in this. And yet they're giving the Jayhawk organization ultimatums on fields and they don't own the fields, you guys own the fields.

The Jayhawk organization, out of all those opportunities, only has 6.4% utilization. That means that the JBA organization has 93.6. One thousand nineteen is what they have to schedule from and they have 464 needs. That's only 45.5% after we've already been scheduled. How are they going to fill that, I mean, I think needs should be interpreted to be a game schedule. If I had that many openings I could fill them. I'd have every coach practice two times a week between games. I would fill these. If I wanted to have some gamesmanship but that's not who we are, that's not who I am and if our club tried to do that I would disassociate myself. That's not how we want to conduct ourselves.

Now then, if a reasonable person internalizes this data, they will be hard pressed to understand the position taken by the JBA as needing more, in parentheses, these are their words 'playing opportunities for the JBA players which was cited in their response'.

We submit that unless comparable data is supplied to the Trustees that dramatically changes the utilization that we have determined it to be, that there really is no problem with scheduling. And then this last in red. Well it's in red on mine, it probably isn't on yours. It's not the scheduling problem but only the residual of current and past personal relationships among the leadership and coaches of these two organizations. That's the part that bothers me. It's not the kids and we know in Little League baseball normally it's the parents or the coaches or somebody that causes all the problems, the kids aren't left alone to play the game. And I just say this needs to stop. I don't know who stops it, authority stops it but when you get a volunteer organization like both of these, somebody has to analyze and determine where this games playing is going on and stop it. Somehow we've got to get these two organizations together. This probably isn't the group to do that but maybe you can. You own the facilities. If you don't get them together, they don't play on the fields. There has to be something that brings cooperation in this community as it deals with youth baseball. And the rightful attention given to the boys regardless of which organization they chose cooperation should carry the day, unfortunately it does not and the last paragraph that I want to read, then I'll be done.

We trust that the Jackson Township Trustees will not allow themselves to be leveraged by either one of these organizations by what we say tonight or what the JBA says. You all represent the total community of all the baseball players in Jackson Township. The Trustees must do the right thing now by communicating the expectations of the JBA directing them to honor the existing schedule because when you do that it meets your own rule, 101.17, says they will schedule first, we will schedule second. That has occurred, that's in place, we scheduled off of that understanding only to have the parent organization say no, no, no, no my needs have not been met yet. It's kind of after the fact, folks. That's gamesmanship. The Trustees should do so with

the understanding of the Township, the JBA and the Jayhawk organization leadership will come together. I'm saying that you all can drive that and you must drive that during the summer to resolve whatever we're going to do next year. We shouldn't be here talking with you a week and a half before our first game and we have no fields. And we're being bartered by an organization that has no authority over the fields. Protocol is important and it has not been followed.

I will go on and say the leadership will come together during the summer to resolve any and all ongoing issues prior to the scheduling of next years boys youth baseball. This position should be a middle ground resolution. I only hear one side, that's ours. I hear what's being offered, it's like negotiating, it's like New Philadelphia schools just settled theirs Sunday night before a strike on Monday morning. I felt the same way. We got phone calls at 5:15 still trying to keep us from talking about this here. I love the JBA, I love the Jackson Jayhawks. They both serve wonderful opportunities for the kids in this Township. They have to work together. There has to be a middle ground for this and if our schedule is kept the way we have it, it's a win-win for everybody because their schedule was submitted on March 4 and it said we have met our needs. Ten days later we scheduled and now we have met our needs, what is the problem. I don't know. So I think it's ethically the right thing to do and I want to thank you for your indulgence here this evening. I hope I haven't taken too much of your time.

Meeks: No, you've taken the appropriate time and I want to thank you very much for putting this together. And you're absolutely, 100% correct in saying that the responsibility lies on the two organizations, it really does. I'll tell you and I've said it to you, Randy, and I've said it to the gentlemen that were here the other night, I guess I was naïve in thinking that the two organizations could have worked this out. I know what should have been done and that is go back to what was presently agreed to. That was an easy fix. And you're absolutely right, work on next year through this year so that you do have a year to know what you have here. I'm glad to hear you also say that the reasons why you're all here, hopefully, are for the best interest of these kids. Because if anybody knows me and my involvement in any youth and I also said it the other night I went home and thanked my son for not being involved in baseball, that was one sport he didn't get involved with, I mean he was coached under Jeff Rabbett a couple years and he had enough of that. He plays other sports and I support that. I support our youth organizations and its unfortunate that I finally get to see all of you come before us in this demeanor. I know you're passionate, I know you care for your kids and I do too. I don't know them, I don't know the JBA boys but you know what you guys put your time, anybody who puts as much time and effort into coaching or teaching the youth, boy, girl it doesn't matter, my hat is off to you. You're doing it for the right reasons, hopefully. And then when you get to be the adult and you put the coaches in it, I think you need to work on that as well because I think maybe a lot of this may stem from that. But you know what you have two quality organizations and you're absolutely right, they are Jackson Township fields, they truly are. We go by what our rules and regulations state but you know you guys had a meeting I heard you say last night and obviously you weren't able to come to an agreement. That's unfortunate but you know what, what you've done here you've put it in very basic layman's terms. I think that it would at least, we have to try one more time. I would think that there should be a meeting of the two organizations once again of productive individuals. Ones that truly want to find a remedy for this, okay? It's not that far from our grasp, it really isn't. I think it can be obtainable and when you reference Sauder, I think the guys heard it, they heard it once from me they heard it a dozen

times, I volunteer my services, personally, any assets that I have at my hands, fingertips, as well as the Township, within reason, to make Sauder a playable field. Now if you choose not to use it in the mix, I understand that, but we're not right presently now we're not making any more ball fields. And I'll tell you what I think we've all gotten spoiled by the park facilities that we have because they are wonderful. Whether you're playing football or you're soccer, you're playing tennis, you look at the boys that are over there playing basketball or the ones that will field this for baseball and we're very proud of that. We're very proud when we see our parks full.

Shade: I have a Masters in Recreation. My goal coming out of college was to run the city recreation program. I never got to that point because of other directions and when I look at what you have I don't know how you do it. You do it wonderfully. So I've looked at that and that's why this disturbs me. I was hoping at the last minute the phone call would come and we wouldn't have to be here. It's never fun to stand up and do this. We're not putting them down. I'm only presenting the facts, that's all we presented, facts.

Meeks: You're absolutely right.

Shade: No relationships.

Meeks: The facts that you presented should have been presented from the beginning.

Gonzalez: I have one question about that. When you took these numbers into account, just for my own knowledge, did you use all the fields or just certain size fields?

Shade: Eleven of them. Now I suggested in my, I had another document that was a lot longer.

Pizzino: How did you come up with the number eleven?

Cupari: There are 11 fields that are typically used for 9 through 14.

Gonzalez: That is 90 foot base paths. Is that what you're saying?

Cupari: Yes.

Gonzalez: Okay, that's what my question was.

Shade: Yes, there are 16 fields or so. We use eleven and you're absolutely right and I think if I knew where you were going, you were saying have we done a study field by field? And the answer is I suggest that's what you ask JBA to do. Maybe they are more full on certain fields.

Gonzalez: I was just going there's a lot more fields than that but the general public doesn't understand that those fields aren't playable for you guys. You need 90 foot base paths.

Shade: Yes. And some of them (indistinguishable)

Gonzalez: The other thing I'd ask you what was the fourth sport that you coached?

Shade: I golf.

Gonzalez: Oh, thanks. I couldn't figure out what the fourth one was.

Shade: I was fortunate enough in the two year system we had 13 state championships in the years that I coached there.

Gonzalez: The only reason I brought that up about the fields per year is that was an issue due we have too many of the smaller fields and not enough of the larger fields. That's an issue in itself, also.

Shade: Calls for double tagging sometimes.

Gonzalez: Cut of the outfielders.

Shade: Yes.

Pizzino: I'd just like to clarify a few things. You received this letter from JBA. They never met with the Jackson Township Board of Trustees. It says in this they met with us, they only met with one official. So that wasn't the deal.

Meeks: Marilyn Lyon is our Administrator.

Pizzino: That wasn't really an official meeting with this Board. So there was nothing there.

Shade: See, that's what I was referencing before. If protocol had been in order, the person that came to the Trustees to begin with should have started, if he had a question on scheduling, with the schedule that occurred at the bottom of the JBA organization. If they didn't have enough space he tells the administration. The administration puts together this kind of data, brings it up to you and makes a case for it, not to you, but to Dave Ruwadi and if there's a case and you need fields, here's where the approval is.

Meeks: I think that all the talks we've had prior to this, I think we've seen some flaws in the organizations and one is a major communication breakdown between their scheduler and their board.

Cupari: I think their scheduler is their vice president.

Pizzino: The bottom line is we only have a week or so to straighten this out. We don't have a lot of time to straighten this out or you people aren't going to have a field. When they scheduled the fields, and Dave maybe you can help me, because I know very little about this, other than what Mr. Ruwadi told me when these meetings were going on, how many fields did they give you?

Cupari: It was various. They incorporated us into the overall schedule. Age appropriate per field and we had equal time that their teams had and even when they did that, even on paper, you

could see, they gave everybody at least double of the dates that they actually needed. On paper, on their own schedule.

Meeks: Does this help you, Randy? This is what you gave me.

Cupari: That's what they sent us via e-mail.

Meeks: Okay.

Pizzino: We have to resolve this and the only way we can resolve this is if all three trustees are together. If we wait until two weeks from now, that's not going to help us move it along. I think we should probably get Mr. Ruwadi and this Board together with both boards and try to resolve this right away.

Meeks: Both groups can be very productive if the people that come to the table are willing to work.

Cupari: There has to be give and take on both sides.

Shade: Could I make a comment. You have all this taken care of so it doesn't have to come to you all to make those kinds of decisions. You have a rule, 101.17. It describes exactly how this is supposed to work. And it worked exactly the way your rule says. It's been done. All we have to do is have somebody say follow the rule. Follow your own rules. That's all we have to have said. It's done, any negotiating at this point would not be following the rule. Now I wanted to make one other point.

If you do a complete protocol down of how this should have worked, this issue should have played out and you had the JBA board here and you had the Jayhawk organization here and you had your Trustees up here, it starts with Mr. Ruwadi and goes down through the Jayhawk organization and that's what 101.17 says it's supposed to do. When they schedule and they have all their needs met, and now needs are starting to jump around this year when it didn't for 13 years, when they have their needs met then theoretically the Jayhawk organization can schedule any openings that they have. Not by field or anything, whatever openings there are. They have their own schedule and they are complaining about their own schedule making. We have nothing to do with that. We're out here, they're board's out there, and you're up here. The three groups that should not be involved in this discussion at all are exactly the three that are involved in the discussion. And why is that? Because we passed up the protocol of rule 101.17.

Cupari: The person who did the schedules this year also did it last year. So it's not a person that was unfamiliar with the needs or requirements. He did it just the way he did it the previously year and it worked for everybody.

Shade: And I'll tell you, I have great respect for Pete Jacobson. That's who it is. I talk with him routinely from a coaching standpoint because when I have a conflict I don't start with the Trustees. I start with the scheduler. That's where you're supposed to start. Whenever somebody jumps protocol and due process you find out you get into these kinds of things. It

should never happen. And that's when Mr. Ruwadi and I think he did talk with them, he gave his opinion on it, it was a done deal, nobody bought it and here we stand today. I don't know what else to say.

Cupari: I want to disclose one thing. Last night we did meet, myself and Harold, Mike McBride who's a coach for our team, (indistinguishable) the President, Dan Ernst who's their Treasurer, and Jason Lahr, who's their Secretary. I thought we had a pretty good exchange. We left it that they were going to possibly take another proposal back to their Board. They have 15 members who have to vote on everything. What they're voting on actually is to change something that's really already been established, which is still kind of crazy in our eyes, but there were some things discussed and we said fine if you can get your Board to vote that way, to approve it, basically we have a deal, we can move on. There were some concessions on our side.

Meeks: Do you have a copy of that?

Cupari: It was not written up. It was verbal. That was at 6:00 when we ended the meeting and I thought they would have gotten right on the phone that evening, e-mailed everybody and said here it is here's a proposal and we wouldn't have had to come tonight. But at 5:15 the President was at the baseball practice and they had just issued the resolution for the vote. Having said that, even if they approved it, at the last second they added another clause in there that we did not agree to. So even if they approved it, it would be void. And the clause was something to the effect that the Jackson Jayhawks 9 through 12 year old teams if necessary will play games on Sauder field. And I said what does that mean? He gave me a couple paragraphs of something I didn't understand but the bottom line was they would have the authority at any given time to say you have a game on this field tonight, well, we're moving it to Sauder. And I said that's not acceptable.

Shade: I wanted to make one more comment on protocol in that regard. I'm not sure why their administration has to go to the board on daily routine activities especially on something you do every day. They have a very cumbersome organization but that's neither here nor there. It takes so long to get it done the fact is the board is voting on something they have no purview with. The fields belong to you all. Why are they offering us Sauder? All they're supposed to do is schedule their games and then what we do is we take their schedule and we see what fields are open and we plug in behind them. We're off to the side, we don't have any direct line to any of this except to take the scheduling after they're done and put our 70 games in. The only cooperation I've ever seen between these two organizations is that Jacobson will schedule both groups because it makes his scheduling job easier, he's able to keep track of what the openings are for rain outs and that kind of thing. I applaud him for all the work that he does. But having said that, he presented the schedule, somebody went back to the organization and convinced them that what he did was not right. And what we're doing is saying once that was given to us and we scheduled behind them, it's a done deal. And all we're doing is saying that 101.17 stands on its own. It's in your rules. It's done. All we have to do is have somebody tell JBA the rule has been met, it's done. And it's a win-win for everybody. Jacobson would not have put that schedule forward had he not met the game responsibilities which I've shown you, very easy to meet the game responsibilities, there's only 49% to fill. He met those. He must not be a games player, he met those. Two weeks later somebody must have done something that says oh no we

haven't met our needs. I say it's too late. It's too late for that. We've met your guideline and if we can't go by your guidelines then what guidelines would we ever go by. And that's the position we're in. Next year we do something else and somebody said the guideline isn't true, it doesn't work. I don't think that can be. Well, thank you, I don't want to take all your time.

Pizzino: I think, just talking with Mr. Meeks and Mr. Burger, what we would like you to do is try to resolve this and hopefully we can go back and see what the original schedule said and find out if we can't, why we can't, and also it's my understanding that talking to you that you feel you could get that Sauder field as good as any of the other fields? That it would take you a week or so to do that?

Ruwadi: I can get the Sauder field prepped, ready for play. It is not of standard with the outfield fencing, that's not there. It's more on the caliber of a school field, Amherst, Lake Cable.

Meeks: It would be a great practice field.

Ruwadi: At least some of these gentlemen in this have practiced it.

Pizzino: You're going to get it up to the next level.

Meeks: We're still going to move forward in preparing that so that you or anybody else can feel comfortable and confident in using that field.

Cupari: That was part of the proposal we discussed last night. They added that which we agree with, fix it up as you talked about, and some of the coaches from JBA were saying that maybe they're not getting enough practice, that would be an excellent practice field.

Gonzalez: Yes, you could kick field goals while you were there.

Ruwadi: Do you want me to set up the meeting with the other organization?

Pizzino: We want this resolved and we want you to get it resolved right away. Not next week.

Unidentified man: What is resolved? JBA has already made their decisions, we've met with them three or four different times. We had a deal, I mean, I don't understand, we've already met three or four times.

Gonzalez: Sir, could we get you up to the mike if you're going to talk. This is getting recorded, it can't pick you up.

Unidentified man: I mean I'm just kind of confused, we came here tonight entrusting that you folks were all going to make a decision. I mean Dave has been through three and four meetings, I've sat through a meeting a week ago here with Steve, I mean it's pretty clear. I mean we had a deal, we had a schedule that was made, and we start a week from now. We have games now that are scheduled in a week and we have not been able to confirm where we're going to play at this point. JBA has met, they've made their decisions, and since when do we have to rely on JBA to make the decision on where the other residents of Jackson are going to play their baseball games.

So I'm really confused. We came here entrusting, John, that you guys were going to make a good decision tonight and get us through this. We don't have another week. We don't have another day. It's crystal clear. I don't understand.

Pizzino: You were under the impression that all three of us met. To me and Mr. Burger this is kind of new. We didn't meet with you and we didn't meet with the other side. I'm not 100% sure why they even rescheduled, I hate to say that, I'm looking for Mr. Ruwadi to help me out here.

Ruwadi: All I know is we had a meeting with Mr. Meeks, Mr. Fitzgerald, and the Township Administrator, Marilyn Lyon, was in the meeting and they said their needs were not met.

Pizzino: Neal.

Fitzgerald: That was a meeting with the Jayhawk coaches, the Jayhawk people here, and JBA. We had one meeting with the Jayhawks and the next night we had a meeting, Mr. Meeks can speak to that, too, with both the Jayhawks and JBA, that was here in the hall.

Unidentified: Correct.

Pizzino: Under our rules and regulations, then Mr. Fitzgerald.

Fitzgerald: As Mr. Meeks said, they're the parent organization, the JBA, as he said in both meetings, they could ask them to reconsider and asked the Jayhawks to give their proposal to JBA. They are the parent organization and they determine the priorities.

Pizzino: They have under our rules and regulations, they have the right to set the schedule. They have the final say? I mean, help me out here.

Fitzgerald: That was the construction that we had placed on that rule since this started. Right.

Pizzino: I guess my only concern, I think, I don't know how Mr. Burger or Mr. Meeks feels, but once that schedule went out, I don't think it should have changed. You know, especially two weeks before they start and tell them they don't have any place to go.

Unidentified man: Yes, Steve, you said yourself that, I mean, the schedule was made. The most ethical thing to do was to give us our fields and let us move on.

Meeks: And follow the schedule.

Unidentified man: With Dave Ruwadi setting that meeting, we asked them if now all the needs are met if you get here. And in our meeting they chose not to tell us, we gave them point blank questions, what is it, can we help you, can we reschedule some of our games to meet your needs, and they were not even willing to give us the reason for why they needed to reschedule.

Ruwadi: They didn't show me any of their needs.

Unidentified man: Right. You said as the current schedule right now, their needs are met. Correct?

Ruwadi: The way I understood it was everything was as years in the past we always have discussions and so and so forth but when I got the schedule the same time probably you did, I assumed that the needs were met. After that it was brought

Meeks: It was brought to my attention

Ruwadi: and to Mr. Meeks' attention that their needs were not met.

Meeks: When I was confronted by Kent Clark, he wanted to have coffee with me, when he started bringing up scheduling of JBA and Jayhawk, whoa, I know nothing about that I want to have a meeting with Dave Ruwadi. That's when we met here on that Friday. After that is when he was instructed to call Randy and then we had the meeting with you guys.

Unidentified man: That's been almost a week ago. That was last Tuesday night and they've had almost a whole week to present to Dave what needs aren't met. And they've yet to give that. Instead they turned around and took a vote and said, unanimously, we'll give them certain fields, so again, if they have jurisdiction and really they don't have jurisdiction on telling us what fields we can have, all they get is scheduling rights. They can't say, okay, we don't want Sauder, we don't want North 13, all they seem to be able to say is we need 10 out of the 12 fields and Dave does the scheduling. That's the way I understood it. I mean as far as doling the (indecipherable).

Ruwadi: I issue field permits.

Unidentified man: permits, right. They should say that they need 8 out of those 10 fields. But how do they have the jurisdiction to say we don't want North 13 anymore, here you can have it.

Pizzino: Neal.

Fitzgerald: I was brought in last Monday, Dave and them showed me the rule and said that the way it stands it looks as if JBA has a right to priority use. They determine the priority use, that's technically what the rule says. Then we thought we'd have the meetings, and Mr. Meeks, Mr. Ruwadi, myself and Marilyn. So then we had the meetings, but the rule is written to the parent organizations' favor, it's what we had discussed with everybody in both those meetings. The first meeting with you guys and the second meeting with JBA and the Jayhawks.

Unidentified man: Can I read that rule?

Meeks: Sure.

Unidentified man: The rule states Jackson Township Parks and Recreation programs, events, and parent athletic organizations have priority use of the fields. The parent athletic organizations are considered the Townships largest athletic organization in each respective sport, consisting of

the greatest number of residents. Okay, that's not the Jayhawks. Nonresidents, for profit groups, for profit groups, organizations or companies. Now I interpret that to mean for profit groups, profit organizations, profit companies, will be given consideration for athletic fields only after the local needs of the parent athletic organizations have been met. Is that right?

Shade: That would be the Jayhawks, in there.

Unidentified man: How was the Jayhawks there?

Ruwadi: But non-profit.

Unidentified man: Doesn't say non-profit, it says for profit.

Ruwadi: There's also a non-profit in there.

Unidentified man: Doesn't say anything about non-profit, non-resident, for profit organizations

Unidentified man: groups

Ruwadi: Yours is a club sport.

Unidentified man: Non-profit athletic (indecipherable). I feel like the Jayhawks aren't even part of that sentence. We're left somewhere in limbo. We're the second largest. . .

Ruwadi: The advisory board put these rules and regulations together and it's the citizens of the Township that

Unidentified man: This is the sentence I want to read because this part of the policy is not being followed. Jackson Township Parks and Recreation Department will strive to schedule fields in a fair and equal manner. Jackson Township Parks don't schedule the fields. JBA does and this year it wasn't done fair and equal.

Burger: Maybe you can answer a question for me Dave. How did the JBA become the controlling organization for the Jayhawks.

Ruwadi: The largest organization within that respective sport. So when you have 1,000 people in a sport, that's the controlling over 70.

Burger: It has nothing to do with how long either league was in operation?

Ruwadi: No. Our soccer organization and JSL is the largest soccer group.

Burger: So it's just head count.

Ruwadi: Our girls' softball league, which is a slow pitch league, is our largest organization.

Pizzino: Do you know what needs weren't met?

Meeks: I don't think anybody knows.

Ruwadi: It has never been presented to me.

Unidentified man: Last night in our meeting, I think we finally came to agreement that some of their coaches wanted additional practice times this year that they maybe haven't had in the past. Not everybody, it just sounds like a handful of coaches. In my mind, Sauder field would be an excellent solution for that. Why force people to play games on a sub-standard field? And have some teams practicing on the premium fields and having some teams play games on sub-standard fields. I'm here to tell you that some of the JBA teams when they play the Jackson Jayhawks they would have to play their games on Sauder field. Because that's our home field. And the team that comes from Niles and Dover and Hudson or Ashland, they're going to play on Sauder field, I don't think that's what anybody wants.

Shade: I would like to make one differentiation. It's very small, but it's important. In this document it says needs on that (indecipherable) described as some of the coaches want. There's a difference between wanting, I'd like to (indecipherable) everything. But the needs are met, 45% of their needs are met. They can't show any more in games. I think the needs of this organization need to be met after the needs of their organization.

Unidentified man: I feel we've clearly spelled this out today and I'm about principle and everybody else in this room is about principle and I just want to know are you three gentlemen able to make this decision today based on principle and a good ethical decision so our boys can play some baseball. I mean that's what we're here for. Can you gentlemen make this decision? Or do we have to rely on the JBA to make the decision for you?

Pizzino: I'm not looking at that. I guess, I need to know what wasn't met. If they have the authority to make the scheduling and it was fine and dandy up to this point. If it's just about practice, then that schedule shouldn't be changed. If that's all we're talking about are some of the coaches want practice. We'll get Sauder field in shape and let them use that for practice or whatever they want to do on that field. But I just don't think its right changing the schedule if we're only talking about practice. And if these numbers are right, this is what really bothers me, is the numbers.

Mary Seaman, 4105 Meadowview Drive NW, my son Ben is on the 9 year old Jayhawk team. He's new to the Jayhawk organization. And my fear now is that I'm going to have to tell him that he can't play baseball. This is ridiculous.

Meeks: He'll play baseball.

Pizzino: He'll play baseball.

Seaman: We have a game in two weeks, we have no fields.

Meeks: You will have fields. Absolutely.

Seaman: There's more to this than the needs and we just need people to step up to the plate and say this is ridiculous. Kids can play baseball for who they want and we have great fields in this community and that's why we moved here. He should be allowed to play but I'm fearful that in two weeks I have to tell Ben, guess what, you can't play.

Pizzino: That isn't going to happen.

Meeks: You won't have to do that.

Seaman: But if a decision doesn't get made by you guys, the JBA is not going to make a decision that benefits our Jayhawk kids. And I don't know why, it's sad. I'm all about ethics. I'm a licensed professional clinical counselor in the State of Ohio and I work in schools, I coach high school sports, I volunteer for every one of Ben's Jackson youth sports since he was in kindergarten. And this makes me sad, that we are fighting over fields. Ben deserves to play on a field other than Sauder. I don't mind practicing there but we need nice fields for our kids to play games. We're begging you guys, please do the right thing. The original schedule worked. What happened between that and the next phone call? He's the only one who knows that. Just please make this decision happen quick. Ben's out practicing now. I hope for a good reason.

Pizzino: And again, I have no problem making a decision, but I need more information here. This was just dropped on us at 6:00, me and Mr. Burger.

Meeks: I'll tell you what. Dave, I'd really like for you and all three of the Board to meet with Randy, the organization, as well as JBA, or I'll tell you this, Mr. Vance, I'll tell you this, if you can't come up with an alternative by the end of this week, then this Board will vote on that it does go back to what was presented to you.

Cupari: I want to say one other thing and that is if we did follow what we were handed out, we'd have like 35 games issues because trying to cram 7 teams on 2 fields on a schedule that was already made and I think I included it in the notes. Some teams will have to reschedule, I mean, there will be some rescheduling obviously going on, different dates and these teams that are coming from out of town, they would like nothing else, love nothing else but to say, the Jayhawks changed the schedule on us, now we're going to take a forfeit because it's in the league rules. And there will be some of that happening.

Meeks: I have to tell you, the Jayhawk organization has done nothing to truly deserve what is on your lap today. I've seen other than you didn't volunteer to help me with Sauder, but that's all right, I've seen your willingness to just want to play baseball. You brought up some very valid points here tonight. A lot of factual information that is crucial for us to educate ourselves on the future. And as we look at our rules and regulations for everything that we do in the Township, this is a lesson learned on these things, how we need to change and be more specific on our rules. And what I meant by, and I don't mean this as, don't try to work it out with JBA, try to do your best and I think you said that you had an option that was palatable, though different from what was already scheduled. Let's try to forge in that direction. I don't know what that is, but if they

take out that paragraph they stuck in there, I think you have something that you can live with. Is that not true?

Cupari: Possibly. Let me say one other thing. This is a whole different subject. I hate to open another can of worms, but I'm going to. Part of the concession was to move some of the games that we have on what they consider their premium fields, theirs, North 16, South 6. Part of the concession was we're going to move. If the Jayhawks had a game scheduled there, we're going to move them off of there and put them on what they consider a sub-standard field and that was part of the concession. I feel guilty for putting that in there.

Meeks: One thing, Randy, on that defense there, and you know what, we are pleased when organizations raise money to try to invest in our park system because we only have so much money and we try to do our very best with that. But when they wanted to invest the \$20,000 to \$25,000 that they put in the fields and what they do with their donations, you know, we hope that there were no strings attached to those investments. And it truly should have been investments for the kids, so that their playing experience would have been felt long term. Not because they want to take ownership and we will address that. Any organization has the right to donate back to the Township and we encourage that, we really do, because it is for the betterment of the kids. And it should always be that. Not because you're trying to exclude a certain group or groups from using them.

Cupari: You know and they're making that an issue, which I don't feel is right but I'm here to tell you that, honestly, if we knew that they were putting money and time and effort into the fields we would have been right beside them helping them.

Meeks: Well, you may have your opportunity for the next year and years to come and you do with that what you wish. However, we'll rectify this by the end of this week and then the talks need to happen for next year and future years so that you're never caught, excuse me, with your pants down, again. And I apologize to all of you for the inconvenience that we have put you through, I have put you through. Your kids, ma'am, your kids will play baseball, rest assured, they'll play baseball in Jackson Township.

Pizzino: Thank you for all coming.

Unidentified man: Excuse me. You made a statement about us coming up with an alternative.

Meeks: I think Randy did.

Pizzino: Randy already came up with one.

Unidentified man: So in your mind, then, it's been.

Meeks: I think it was palatable last night except they threw that whatever that was, I have no idea.

Unidentified man: If you could talk to him about that.

Meeks: But JBA threw a clause in there that made it null and void. Now Dave's going to get with Randy and he's going to get with the president

Unidentified man: (Indecipherable) of JBA and it will be a decision by the end of this week. Is that right?

Pizzino: Well, hopefully, they'll come to a decision before that.

Meeks: It has to happen before that because this Board will have to call a special meeting if that doesn't happen, to make that the results.

Unidentified man: If it doesn't happen by Friday, when will it be?

Meeks: Dave, will you call

Pizzino: We want it to happen by Thursday.

Meeks: Today's Monday.

Pizzino: You have plenty of time.

Meeks: Call them tonight, you try to get it scheduled, you understand their time constraints as well. Get it scheduled, if not tomorrow, it has to happen Wednesday.

Pizzino: We need a 24 hour notice for a special meeting.

Fitzgerald: Randy, are you going to put in writing what the discussion was last night? So we can see where it's at? Are you able to do that maybe, or not?

Cupari: They were supposed to provide the resolution for their board to vote on.

Fitzgerald: Right. With what you guys have discussed and whoever was there agreed with. Can you put that in writing, like summarize it in writing where that stood?

Cupari: Yes. Sure.

Fitzgerald: That would help Dave and us.

Pizzino: I want to say one thing. As long as your numbers are correct, I don't have a problem with that. If for some reason, your numbers are way off and I don't think they are because it sounds like you put a lot of thought to this, then I'm okay with that.

Shade: We went over these numbers last night with them, they helped us and I wrote it down. There's always a 'but'. These are the numbers but. . .

Meeks: It has to be an awful large 'but' if it causes confusion. It has to be an awful large 'but'.

Shade: That's what I think, too.

Pizzino: Thank you for coming in.

Unidentified man: Will we continue on our regular schedule as it is? Because they've actually (indistinguishable)

Ruwadi: Practice schedule has not been changed.

Unidentified man: (indistinguishable) already said, it's still in effect. They issue the practice schedule also.

Meeks: That's in effect.

Unidentified: Well, people were on our fields.

Meeks: You're okay with that.

Seaman: (indistinguishable) first practice, there was another team on our field so we had no field. We had to go to the outfield.

Ruwadi: That happens all the time, ma'am.

Seaman: Unfortunately, because we were so upset we felt it was on purpose.

Meeks: Randy, if you're saying to honor that, let's just go

Cupari: (Indecipherable)

Pizzino: We appreciate it.

Tax Incentive Review Council Meeting

ATTACHMENT 03/26/07 C

At 7:06 p.m., Meeks called the Jackson Township Tax Incentive Review Council meeting to order and turned the meeting over to Michael Miller with all Trustees, Gonzalez, Fitzgerald, Michael Miller, Chief Deputy, Stark County Auditor's Office and Cheryl Haschak, Superintendent, Jackson Local School District present.

Meeks moved and Miller seconded a motion to approve the minutes from last year's meeting.

5-0 yes

Meeks moved and Miller seconded a motion to adopt the 2006 Annual Status Report to the Ohio Department of Development as the Council's determination of the increase in the true value of parcels of real property on which improvements have been undertaken as a result of the exemption; the value of improvements exempted from taxation as a result of the exemption; and

the number of new employees or employees retained on the site of the improvement as a result of the exemption. **5-0 yes**

Meeks moved and Miller seconded a motion to continue the Tax Increment Financing Agreement and the Tax Increment Financing Compensation Agreement. **5-0 yes**

Meeks moved and Burger seconded a motion to adjourn. **5-0 yes**

Police Department

RESOLUTION 07-024, ATTACHED

Meeks moved and Pizzino seconded a motion whereas, Resolution No. 07-019 is incorporated herein, and Chad K. Kanouff has successfully completed the psychological and physical testing or other requirements.

Be it resolved that, pursuant to ORC Section 505.49 and 509.01, Chad K. Kanouff is hereby appointed to the position of full time Patrol Officer and Police Constable for the Jackson Township Police District Department, Stark County, Ohio, effective March 31, 2007 at the compensation rate and benefits contained in the Negotiated Agreement and we hereby accept the attached Oath of Office. **3-0 yes**

ATTACHMENT 03/26/07 D

Meeks moved and Burger seconded a motion to accept the attached retirement notice from Carolyn Stauffer, effective April 1, 2007, and to authorize advertising for the Secretary 3 position. **3-0 yes**

ATTACHMENT 3/26/07 E

Meeks moved and Pizzino seconded a motion to accept the resignation of Daniel Reed effective March 26, 2007. **3-0 yes**

Meeks moved and Burger seconded a motion to accept the resignation of Patrick G. Wyatt effective April 1, 2007. **3-0 yes**

ATTACHMENT 3/26/07 F

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5480, Telephone, in the amount of \$2,200.00 and from account code 209.250.5387, Discretionary, to account code 209.250.5363, Hooked on Fishing, in the amount of \$3,550.00. **3-0 yes**

Meeks moved and Pizzino seconded a motion to accept a \$2,500.00 donation from Wal-Mart to Hooked on Fishing. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a \$500.00 donation from Massillon AAA School Patrol to Hooked on Fishing. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a \$250.00 donation from Furbay Electric Supply Co. to Hooked on Fishing. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a \$200.00 donation from Harris/Day Architects, Inc. to Hooked on Fishing. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a \$100.00 donation from Nancy and James Eckman to Hooked on Fishing. **3-0 yes**

Administration Department

ATTACHMENT 03/26/07G

Meeks moved and Burger seconded a motion to approve and authorize the Board President to sign Health Insurance contracts with McKinley Life Insurance Company, Aultra Administrative Group, and Aultcare Corporation. **3-0 yes**

ATTACHMENT 03/26/07 H

Meeks moved and Burger seconded a motion to approve the Jackson Township EPA Phase II NPDES Storm Water Management Annual Report for year ending December 31, 2006 and to authorize the Board President to sign the attached letter. **3-0 yes**

Fire Department

RESOLUTION 07-025, ATTACHED

Meeks moved and Burger seconded a motion to authorize Fire Chief Ted Heck to seek applications and test for part-time firefighter positions in accordance with the attached policy. **3-0 yes**

Highway Department

RESOLUTION 07-026, ATTACHED

Meeks moved and Burger seconded a motion pursuant to ORC Section 5513.01, we hereby adopt and authorize the placement of the Board President's signature upon the attached Contract with International Truck and Engine Corporation in the total amount of \$110,242.00 for the purchase of Two Single Axle Cab and Chassis Trucks.

Be it further resolved that, pursuant to ORC Section 125.04, we hereby adopt and authorize the placement of the Board President's signature upon the attached Contract with the Gledhill Road Machinery Company in the total amount of \$78,720.00 for the purchase of Two Dump Body and Snow Packages which the prices are listed in the State Purchasing Contract. **3-0 yes**

Park Department

ATTACHMENT 03/26/07 I

Meeks moved and Pizzino seconded a motion to adopt the attached Jackson Township Community Celebration Emergency Operations Plan as recommended. **3-0 yes**

Zoning & Planning Department

Meeks moved and Pizzino seconded a motion to set a public hearing for Zoning Amendment 559-07 on April 9, 2007 at 6:30 p.m. **3-0 yes**

Fiscal Office

ATTACHMENT 03/26/07 J

Meeks moved and Pizzino seconded a motion to pay the bills in the amount of \$442,490.33. **3-0 yes**

ATTACHMENT 03/26/07 K

Meeks moved and Burger seconded a motion to approve the minutes of the March 12, 2007 Board of Trustees meeting. **3-0 yes**

ATTACHMENT 03/26/07 L

Meeks moved and Pizzino seconded a motion to approve the request for additional amended certificate. **3-0 yes**

ATTACHMENT 03/26/07 M

Meeks moved and Burger seconded a motion to approve the current permanent appropriations to revise the breakdown of the amounts and approve supplemental appropriations and appropriate from the unappropriated balances in the amount of \$6,002,607.41, per the attached list. **3-0 yes**

ATTACHMENT 03/26/07 N

Gonzalez explained that no action was needed since the money for the street light assessment fund was received.

Routine Business

Announcements

- Next regular Board of Trustees meeting, April 9, 2007, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC, April 5, 2007, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, April 16, 2007, 5:00 p.m., Township Hall.
- Board of Zoning Appeals, April 12, 2007, 7:00 p.m., Township Hall.
- Zoning Commission, April 19, 2007, 4:30 p.m., Township Hall.
- Citizens Advisory Committees:
 - Park, April 10, 2007, 6:30 p.m., Township Hall.

- Community Celebration, including Board of Trustees, April 16, 2007, 6:00 p.m., Township Hall.
- Highway/Traffic, May 16, 2007, 6:30 p.m., Township Hall.

Old Business

Pizzino thanked Randy for work done for the YMCA. The letter was received from the YMCA executive director informing them that after opening five months ago, it is the second largest branch in Stark County with 5,800 members, 1,200 kids are using the facility after school, and about 150 people are using the day care.

Gonzalez said the Board’s contribution came from estate taxes which it looks like we will be losing in the near future, but that’s what made it possible.

Meeks said it’s unfortunate that Jackson Township has benefited through the death of individuals, but we were able to leave a legacy for all those contributors. And it has made our community a better place. He thanked all the families for that.

Gonzalez said that his testimony on this bill is not to the effect that it is a good tax, it’s the fact that if they are going to take it away, they have to find a way to replace that revenue.

New Business

Meeks moved and Burger seconded a motion to accept a sponsorship donation for \$1,000.00 from the Canton Regional Chamber of Commerce for the Community Celebration. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a sponsorship donation for \$500.00 from M.E. Companies, Inc. for the Community Celebration. **3-0 yes**

Meeks moved and Burger seconded a motion to accept a sponsorship donation for \$100.00 from Seven Seventeen Credit Union for the Community Celebration. **3-0 yes**

Meeks asked if the Township would be in favor of giving Ashley Spencer some type of a welcome home to let her know the community is proud of her. Burger asked if it would be in order to honor her with a proclamation or a plaque.

Burger moved to honor Ashley Spencer with a proclamation. **3-0 yes**

ATTACHMENT 03/26/07 O

Robert McBride appeared on behalf of Loby’s Bar & Grille, Inc. The proprietor of Loby’s, Kenneth Lowmiller, and the landlord of the facility also attended.

Pizzino moved and Burger seconded a motion not to request a hearing on the advisability of issuing the liquor permit to Loby’s Bar & Grille, LLC at 4736 Hills & Dales. **3-0 yes**

ATTACHMENT 3/26/07 P

Pizzino moved and Meeks seconded a motion not to request a hearing on the advisability of issuing the liquor permit to Lone Star Steakhouse & Saloon of Ohio, Inc. at 4622 Belpar St. N.W. **3-0 yes**

Public Speaks – Open Forum

No one came forward.

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

At 7:33 p.m., the meeting was reopened.

Pizzino moved and Burger seconded a motion to set a special Trustees meeting to be held on Friday, March 30, at 10:00 a.m. at the Township Hall for the purpose of considering action on the baseball field scheduling. **3-0 yes**

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

Steven Meeks

Randy Gonzalez