

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD MONDAY, JANUARY 25, 2010**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm
on Monday, January 25, 2010 with all three Trustees present.

Also in attendance: Additional Legal Counsel Charles Hall, Fiscal Officer Ron Smith, Zoning Director Marshall Lewis, Road Superintendent Tom Hewitt, and Fire Chief Scott McKibben.

MINUTES:

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the January 12, 2010 Regular Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Smith made a motion to approve and waive the reading of the minutes from the January 23, 2010 Special Meeting. Motion seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

ADDITONAL LEGAL COUNSEL CHARLES HALL:

North Industry School Building:

On Friday, Atty. Hall will obtain a Default Judgment against the owner/operator, Full Gospel Lighthouse Ministries, Inc. This means the Board will have a court order authorizing them, at some point in the future, to go forward to repair the building, tear it down, or sell it. He received an e-mail, late this afternoon, from the mortgage holder, International Pentecostal Church of Christ, indicating they are going to assign the mortgage over to the Board. It does not mean the Board is the owner of the property, it just puts the Board in first lien-holder position, so if anyone wants to buy it, the Board can control what happens to the building. After he obtains the Default Judgment, he will pursue state/federal monies to have the building raised.

Trustee Nichols stated the Board will be working with the township grant writers to pursue through the Clean Ohio Fund (the Brownfield grant application) and any other grant monies available. By March 1st, the Zoning Director is to have formal quotes to abate and demolish the building, which is part of the grant process.

Inventory Guidelines:

The Fire Chief asked Atty. Hall for inventory guidelines. For the township's review and consideration, Atty. Hall e-mailed, to the Chief, the guidelines that the Ohio State Auditor's office has been using for a few years. The township may also want to consider putting an inventory guideline in their policy manual.

7:15pm = PUBLIC NUISANCE HEARING (3 properties):

This hearing has been recorded, in its' entirety, by Premier Court Reporting

This is a Public Hearing to remove, repair, or secure buildings or other structures in the township when it constitutes a nuisance pursuant to Ohio revised Code, section 505.86

3215 – 3rd Street SE, Canton, Ohio

Owner: Rebecca Thompson

By having an abandoned residential structure with failed septic and structural integrity.

Mr. Nichols made a motion to declare the structure situated at 3215 – 3rd St SE, Canton, Ohio a nuisance pursuant to Ohio Revised Code 505.86(A) and provide the land owner thirty (30) days to abate the nuisance. If the nuisance is not abated within 30 days, the Board will refer this property to Stark County Regional Planning to abate the nuisance through the NSP Grant Program. Motion seconded by Mr. Wilcox.

ROLL CALL VOTE:	Mr. Christopher B. Nichols	YES
	Mr. James A. Wilcox	YES
	Mr. William C. Smith	YES

4266 – 14th Street NE, Canton, Ohio

Owner: William Hysong, Jr.

By having a fire damaged and abandoned residential structure.

Mr. Smith made a motion to declare the structure situated at 4266 – 14th St NE, Canton, Ohio a nuisance pursuant to Ohio Revised Code 505.86(A) and provide the land owner thirty (30) days to abate the nuisance. If the nuisance is not abated within 30 days, the Board will refer this property to Stark County Regional Planning to abate the nuisance through the NSP Grant Program. Motion seconded by Mr. Wilcox.

ROLL CALL VOTE:	Mr. Christopher B. Nichols	YES
	Mr. James A. Wilcox	YES
	Mr. William C. Smith	YES

3217 Gonder Avenue SE, Canton, Ohio

Owner: Charles Spencer

By having a fire damaged and abandoned residential structure.

Mr. Smith made a motion to declare the structure situated at 3217 Gonder Ave SE, Canton, Ohio a nuisance pursuant to Ohio revised Code 505.86(A) and provide the land owner thirty (30) days to abate the nuisance. If the nuisance is not abated within 30 days, the Board will refer this property to Stark County Regional Planning to abate the nuisance through the NSP Grant Program. Motion seconded by Mr. Nichols.

ROLL CALL VOTE:	Mr. Christopher B. Nichols	YES
	Mr. James A. Wilcox	YES
	Mr. William C. Smith	YES

Mr. Nichols declared the Nuisance Hearing closed at 7:41pm.

FIRE:

Fire Chief presented receipts for two weeks for the following: \$13,723.78=Ambulance Billing, \$60.00=CPR, and \$20.00=Permit, for a total of \$13,803.78. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion to approve a pay rate increase for the following 3 Paid-per-Call staff:

Chris McKibben	\$ 9.00 to \$10.00	effective 12-01-09	now Certified Basic EMT
Shane Turckes	\$ 9.00 to \$10.00	effective 12-01-09	now Certified Basic EMT
Jonathan Fawcett	\$10.00 to \$11.00	effective 12-01-09	now Paramedic

Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith

Mr. Nichols made a motion to approve a pay rate increase for the following Full-Time staff, per union contract:

Chris Putnam \$15.85 to \$16.98 effective 01-17-10

Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

FYI:

> Board given copies of December 2009 Ohio Billing credit & billing report for review.

ROAD:

Mr. Smith made a motion to approve closing 2 PO's:

#42 = McIntosh Oil

58 = Cargill Salt

Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Wilcox made a motion to approve opening 2 new PO's:

\$10,000.00 = McIntosh Oil

50,000.00 = Cargill Salt

Motion seconded by Mr. Nichols. Fiscal Officer certified funds are available. Voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Wilcox made a motion to approve forgiving the road opening permit fee of \$50.00 each for the Lincoln/Denora Sewer Project and the 14th St/Waynesburg Rd Sewer Project. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Smith made a motion to approve the Board President to sign the Mutual Agreement for Technical Assistance between Canton Township (MS4 operator) and Stark County, Ohio Soil & Water Conservation District for a period of 3 years at a set rate of \$1,000.00 per year for 3 consecutive years. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox and Mr. Smith. Mr. Nichols abstained from the vote.

ZONING:

Zoning Director presented receipts for two weeks in the amount of \$860.00. Mr. Smith made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

CLOSED VIOLATION

Karen L Lauer	2903 Patton St NW	Removed trash & debris
Deutsche Bank	1143 Lakeview Ave NW	Removed trash & debris
James Hyatt	4222 14th St NE	Secured vacant building
Joe Jr. or Karl Boyer	1523 Village SE	Secured open structure
David & Stacy Haney	1160 Mill St SW	Secured open structure

NEW VIOLATIONS

None

FYI:

- > Public Hearing - Canton Township Board of Zoning Appeals - Wednesday January 20, 2010
David & Patti Stryker, 1637 Carnwise St SW
Board approved front and side yard variance as requested to replace and expand attached garage.
- > Public Hearing - Canton Township Zoning Commission - Tuesday January 19, 2010
CA1-2009 - Application for Text Amendment changes submitted by the Board of Trustees
Outdoor Furnaces, Small Wind Energy Systems and Ex-Offender Re-Entry Housing.
The Zoning Commission Board approved text amendment and have submitted their recommendations to the Canton Township Board of Trustees.

Mr. Nichols made a motion to approve setting date for the Public Hearing for the Board of Trustees for CA1-2009 to be Tuesday, February 23, 2010 at 7:30pm at the township hall. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

- > Board of Zoning Appeals – next meeting scheduled for Wednesday-February 24th – 7pm
Currently there is one application for the BZA
- > Starting with the next trustee meeting, February 9th, the Zoning Director will include all open violations in his report.
- > No further information from the Stark County Prosecutor's office concerning pending court cases. Mr. Nichols wants a current status at the next meeting in 2 weeks.

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$104,107.55 and payroll in the amount of \$55,972.86, for total checks of \$160,080.41. Mr. Wilcox made a motion to approve the checks as presented, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Payment Register and Fund Status reports handed out to all three Trustees and Department Heads. New Appropriation Status report and new BC & PO lists to be given to Department Heads on Thursday, January 28.

FYI:

- > 2006-2007 Post Audit meeting with State Auditors will be held Wednesday-February 24 at 8:00am at the township office.
- > Road Salt cost so far this winter season is \$75,000.
- > Fiscal Officer asked the Board if the Zoning Director could complete the 2010 US Census Boundary & Annexation Survey which is due by March 1st. Mr. Nichols requested the Zoning Director not take up too much of his time with this project because there are important zoning issues that require his attention.
- > Copy of revised Employee Handbook will be provided to each department for a one-week review.

PUBLIC SPEAKS:

Joe Tabellion: 3980 Baum St SE – Canton Township

Mr. Tabellion voiced his concern about the street lights that have been turned off in the 3900 block of Baum. This is a very dangerous area for traffic accidents; and there have been many at the top of that hill. Trustee Smith stated AEP has not started to turn-off lights in Canton Township yet, but Mr. Tabellion said AEP trucks have been seen working on lights on Baum a few days ago. Trustees Smith and Nichols assured Mr. Tabellion they realize this is a dangerous area and the street lights on that hill are not on the list to be turned off, but they will check with AEP and get back to Mr. Tabellion. They thanked him for bringing this to the Board’s attention.

TRUSTEES:

MR. NICHOLS:

Website = Meeting to be held on Monday, February 1st at 1:00pm at the Fire Administration Building with Les Lehman of Lehman Design & Marketing to discuss the improvement to the website .

MR. WILCOX:

Park Advisory Committee = There are 5 possible candidates, and he is trying to get a representative from the Canton South Soccer Club to accept. So far, the following individuals have agreed to be a member of the Park Board: Tina Hall – John Keating – Travis Secrest – Renee Snyder – Hallie Umpleby He will ask them to attend the next Trustee meeting, which is February 9th.

MR. SMITH:

Fellowship Baptist Church = Mr. Smith made a motion to approve Resolution No. 01-03-10 “Fellowship Baptist Church Requesting Permission to Use Part of Road Right-of-Way along Keiffer Ave SW for Access Drives and Additional Parking”. Motion seconded by Mr. Nichols.

ROLL CALL VOTE:	Mr. Nichols	YES
	Mr. Wilcox	YES
	Mr. Smith	YES

Mr. Smith made a motion to approve the Board signing the REVOCABLE USE PERMIT for Fellowship Baptist Church. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Street Lighting – AEP = Trustee Smith informed Dwight Parrish of AEP that if residents call their office concerning lights out in Canton Township, they should be told to call the township and talk to Dorene Crilow. They will be informed that the lights on the list to be turned off will have an orange cap on the photo eye and would be banded over the lens with black electrical tape.

No further business coming before the Board, Mr. Wilcox made a motion to adjourn at 8:25pm, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Ronald L. Smith, Fiscal Officer

Christopher B. Nichols, President

James A. Wilcox, Vice President

William C. Smith, Trustee