

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD TUESDAY, JANUARY 13, 2009**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm
on Tuesday, January 13, 2009 with all three Trustees present.

Pledge of Allegiance

ROLL CALL: Mr. William C. Smith - Present
 Mr. Christopher B. Nichols - Present
 Mr. James A. Wilcox - Present

Also present: Fiscal Officer Ron Smith, Zoning Director Marshall Lewis, Road Superintendent Dave Robertson, and Fire Chief Scott McKibben.

MINUTES:

Mr. Nichols made a motion to approve and waive the reading of the minutes from the December 30, 2008 Regular Meeting. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the 2009 Reorganization Meeting held on December 30, 2008. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

FIRE:

Fire Chief presented receipts for two weeks for the following: \$6,234.20=Ambulance Billing, \$80.00=CPR, \$8.00=Fire Reports, for a total of \$6,322.20. Mr. Smith made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve hiring new cadet, Shane Turkes, as a part-time/paid-per-call fire fighter for Fire Station #1. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols administered Oath of Office to Cadet Turkes and welcomed him to the Canton Township Fire Department.

Mr. Smith made a motion to approve the Drug-Free Work Place Policy/Program as presented by the Fire Chief. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve Resolution No. 01-01-09 which approves an ambulance billing company, and to establish reasonable charges for ambulance service. Motion seconded by Mr. Smith.

Roll Call Vote: Mr. Smith - YES
 Mr. Nichols - YES
 Mr. Wilcox - YES

FYI: > Fire Dept in the process of securing a consulting physician. Fire Chief working with Atty. Charles Hall to determine legal obligations and contract requirements.

ROAD:

Road Superintendent presented receipts for two weeks for the following: \$100.00=Road Opening Permits, \$1,638.00=Road Salt Reimbursement, for total of \$1,738.00. Mr. Nichols made a motion to accept the receipts as submitted, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve closing one PO:

#42 = Bullseye Supply Co.

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

Mr. Wilcox made a motion to approve opening the following:

BC

\$2,000.00 = Vision Reimbursement

Then-&-Now PO

\$9,411.60 = Marlboro Supply Co.

PO

\$2,000.00 = Ohio Industrial Supply Co

3,000.00 = National Lime & Stone

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

Mr. Smith made a motion to approve Canton Township vacating unnamed alley between 3rd St SE and 4th St SE, off Carrolldale SE. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

- FYI: > Cole Ave SE pipe project will start Tuesday of next week, weather permitting.
- > Topics for newsletter: Snow plowing/salting township roads
Storm water & related problems

ZONING:

Zoning Director presented receipts in the amount of \$ 376.15. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve opening 1 new PO:

\$600.00 = Graphic Enterprises

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

New Violation Letters

Roger A Larkins	2007 Weiss Ave SW	Trash / Vehicles
Peggy Morris	1920 Weiss Ave SW	Vehicles on Property
Calvin Edwards	2140 Calvin Ave SW	Vehicles on Property
EZ Access LLC	5200 Ridge SE	Structure Not Secured

Closed Violations

Ruth Meek	311 Baumford Ave SE	Trash & Open Burning
Henning Investments	Valentine Cir NW	Inoperable Vehicle
Nathan Chance	3210 Dueber Ave SW	Trash/Debris

ZONING: (continued)

Business in Residential

- 1810 Faircrest SE **Woody's Tree Service, Montgomery, Michael**, - Legal action in progress
Final Pre-trial - May 21, 2009 Trial – Jun 1, 2009
- 4134 Fairknoll SE **Quality Turf / Quality Custom Embroidery, Edwards, Bill** - Legal action
in progress Hearing Jan 17, 2009
- 3143 Prairie College SW **Daniels Welding & Fabricating, Rose, Daniel**, Submitted application for
Home Occupancy – Reviewed by BZA – 20 Jan 09
- 5141 Keiffer Ave SW **Fisk Shane Roofing Co.**, Fisk, Shane & Roffanda, Submitted application for
Home Occupancy – Reviewed by BZA – 20 Jan 09
- 3712 Baum SE **Leader Landscaping Business, Kerestes**, Submitted request for non-
conforming certificate – Reviewed by BZA – 20 Jan 09
- 4821 Dueber SW **Franks Excavating, Franks, James & Barbara**, Submitted request for non-
conforming certificate – Reviewed by BZA – 20 Jan 09
- 824 Faircrest SW **Acropolis Property Services, Fellouzis, Walter**, 19 March 2008, 3rd notice
sent by attorney, business owner has contacted office and received required
papers to file for Home Occupation
- 5370 Ridge Ave SE **Harper Surveying, Harper, Bradley & Cynthia**, 17 April 08 – 1st notice,
2nd notice 17 June 08
- 5275 Sandy Ave SE **Broad Trucking, Broad, John & Theresa**, 17 April 08 – 1st notice,
2nd notice 17 June 08

Legal Action

Canton Twp vs Montgomery: Judge Heath granted Montgomery motion to set aside
default judgment

and is allowing them to file answer.

New dates set: May 21, 2009 = Final Pre-Trial with clients present
June 1, 2009 = Trial

Canton Twp vs Edwards: Judge Haas requires briefs by January 16, 2009

February 12, 2009 = Final Pre-Trial

February 23, 2009 = Trial

- FYI: > Crossroads Tavern has been sold. New owners are removing structure .
> 190 Faircrest SW – Property clean-up cost was \$1,800, which will be paid at
closing by new owner and sent directly to Canton Township.
> 2008 Yearly Zoning Report given to Trustees
> Several Zoning topics for newsletter

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$62,075.29 and payroll in the amount of
\$88,960.21, for total checks of \$151,035.50. Mr. Nichols made a motion to approve the
checks as presented, seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols,
and Mr. Wilcox.

Payment Register and Fund Status reports handed out to all three Trustees and
Department Heads. New Appropriation Status report and PO & BC lists to be given to
Department Heads on Thursday, January 15.

FYI: > Budget Meetings with Department Heads:

Fire: Tues – Jan 13 – 10am

Road: Wed – Jan 14 – 10am

Zoning: Thur – Jan 15 – 10am

FISCAL OFFICER: (continued)

- > Medical Co-Op Comparison List – January 27th Meeting
- > 2009 Employee Vacation & Sick Hours Report given to Trustees
- > 2008 BWC Report given to Trustees
- > Road Salt – 2008/2009 paid-to-date Winter Season = \$36,128.00

PUBLIC SPEAKS:

No Public Speaks this evening.

TRUSTEES:

Mr. Smith:

EXECUTIVE SESSION - ZONING: Mr. Smith made a motion to move into Executive Session at 7:56pm with Trustees, Fiscal Officer and Zoning Director to discuss personnel matters. Motion seconded by Mr. Nichols.

ROLL CALL VOTE:

Mr. Smith	-	YES
Mr. Nichols	-	YES
Mr. Wilcox	-	YES

Mr. Smith made a motion to move out of Executive Session at 8:12pm. Motion seconded by Mr. Nichols.

ROLL CALL VOTE:

Mr. Smith	-	YES
Mr. Nichols	-	YES
Mr. Wilcox	-	YES

Mr. Nichols made a motion to approve a written reprimand to Zoning Director for violation of the township vehicle use policy. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

EXECUTIVE SESSION - ROAD: Mr. Smith made a motion to move into Executive Session at 8:13pm with Trustees, Fiscal Officer and Road Superintendent to discuss personnel matters. Motion seconded by Mr. Wilcox .

ROLL CALL VOTE:

Mr. Smith	-	YES
Mr. Nichols	-	YES
Mr. Wilcox	-	YES

Mr. Smith made a motion to move out of Executive Session at 8:32pm. Motion seconded by Mr. Wilcox.

ROLL CALL VOTE:

Mr. Smith	-	YES
Mr. Nichols	-	YES
Mr. Wilcox	-	YES

Township Newsletter Articles: Top 3 items for next issue will be Street Lighting, New Fire Station, and Ambulance Billing

Public Meeting: Mr. Smith made a motion to tentatively approve a Public Meeting for Wednesday, February 18, 2009 at 7:00pm, pending the availability of the cafeteria at Faircrest Middle School to hold the meeting. This meeting is to discuss township street lighting and the potential of a new fire station. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols:

RPC (Stark County Regional Planning Commission): Mr. Nichols made a motion to approve Canton Township representatives to the 2009 RPC meetings to be Jim Wilcox with alternate Hallie Umpleby, and Christopher Nichols with alternate Brent Fatzinger. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

SCOG (Stark Council of Government): Mr. Smith made a motion to approve Canton Township representative to the 2009 SCOG meetings to be Christopher Nichols. Motion seconded by Mr. Wilcox and voting YES: Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Faircrest Park: Paperwork still in process with Stark County Prosecutor's office to turn ownership of Faircrest Park over to Canton Township.

Website: He is meeting with representatives with Himebaugh Consulting on Thursday. He has requested Atty. Hall to compile data from other government entities to compare website costs with other firms.

MR. WILCOX:

Ball Field Requests: He has already received a few requests for use of the township ball fields for the 2009 season.

MR. SMITH:

Former Township Community Center: Legal opinion, per Atty. Hall and Ohio Revised Code states we can use the proceeds received from the sale of the Community Center for any purpose.

No further business coming before the Board, Mr. Wilcox made a motion to adjourn at 8:49pm, seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Ronald L. Smith, Fiscal Officer

William C. Smith, President

Christopher B. Nichols, Vice President

James A. Wilcox, Trustee