

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD TUESDAY, FEBRUARY 24, 2009**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm
on Tuesday, February 24, 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, Fire Chief Scott McKibben, and Attorney Charles Hall.

MINUTES:

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the February 09, 2009 Regular Meeting. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Atty. Charles Hall:

Canton Township v. William E. Edwards, Jr.

Quality Turf – 4134 Fairknoll Ave SE, Canton Township, Stark County, Ohio

Atty. Charles Hall presented a resolution to the Board and explained the settlement agreement as determined by Stark County Court of Common Pleas.

Mr. Nichols made a motion to approve Resolution No. 02-02-09, as presented by Atty. Charles Hall, authorizing Atty. Hall to enter into a settlement agreement concerning the legal action of Canton Township v. William E. Edwards, Jr. The recommended settlement agreement and consent decree concern the property located at 4134 Fairknoll Ave SE, Canton Township, Stark County, Ohio and provide terms and conditions for the continuance of a nonconforming business use of the property.

Motion seconded by Mr. Wilcox.

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

FIRE:

Fire Chief presented receipts for two weeks for the following: \$8,599.72=Ambulance Billing, and \$1,000.00=Donation for a total of \$9,599.72. Mr. Smith made a motion to accept the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

\$30,000.00 = Nimishillen Twp Fire Dept

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

Mr. Smith made a motion to approve Canton Township entering into the Fire/EMS Dispatching Service Agreement with Nimishillen Township as of March 1, 2009, on a month-to-month basis, at \$34.00 per incident call, based upon 2008 run numbers, and with reporting of 2009 runs to Canton Township. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

After discussion, the Board decided to table any motion regarding RCS (Regional Collection Services) taking over any uncollected debt. For the Fire Dept.

Until the Employee Handbook is updated, Department Heads will inform the Board President, at least the day before, when they will be taking vacation days.

ROAD:

Road Superintendent presented \$100.00 in Road Opening Permit Fees for two weeks. Mr. Wilcox made a motion to approve the fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

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

#37 = McIntosh Oil Co

61 = Cargill Salt Co

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

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

\$10,000.00 = McIntosh Oil Co

20,000.00 = Cargill Salt Co

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

Mr. Smith made a motion to approve Road Superintendent and Trustee Wilcox using a township vehicle to attend an EPA seminar on March 11th in Richville, Ohio. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve the certification of the 2008 township mileage to be 98.31 miles. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Nichols made a motion to approve road crew and mechanics touring the International Truck plant in Springfield, Ohio on March 5th. Motion seconded by Mr. Wilcox and voting NO – Mr. Smith, Mr. Nichols, and Mr. Wilcox. Motion denied.

- FYI:
- > Road Superintendent meeting with Stark County Engineers Dept will be Friday April 3rd at 9:00am at the Engineers office. Trustees and Fiscal Officers meeting with Engineers will be on Saturday, April 4th.
 - > Several months ago, The E.C. Levy Company on Whipple SW had assured Road Superintendent they would let us know within 60-90 days concerning putting in an entrance road to their plant. They have not called back. Road Superintendent has been in touch with their main office in Detroit and assured to get back with him by the end of this week.
 - > Chip & seal presentation will be done at the March 24th meeting

ZONING:

Zoning Director presented receipts in the amount of \$383.40. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Wilcox made a motion to approve closing 1 PO:

#71 = Randy Carr

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

FYI: > Crossroads Tavern on Georgetown Rd NE is scheduled for demolition March 5-12.

Mr. Nichols made a motion to approve releasing fire loss claim funds in the amount of \$10,164.11 to Alveta Stout for property located at 3708 Whipple Ave SW. Property has been inspected by Stark County Building Dept and the Canton Township Zoning Director and approved for occupation Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Mr. Smith made a motion to approve allowing Gerald Michel until June 1, 2009 to re-shape the property at 1003 Lakeview NW. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

New Violation Letters:

Vince Martin / Maxwell's Auto	2734 Cleveland Ave SE	CUP Fee – Past Due
William Weaver	3616 Shepler Ch. SW	No Permit
Gary Randall's	1542 Belden Ave SE	Expansion of Business /Junk Yard
Kelly Shockling	4342 7th St NW	Trash& Vehicle
Charles Spencer	3217 Gonder SE	Trash & Debris
Patty Dalton	4128 Mapleton St SE	Trash & Debris
John Coker	4844 Sherman Ch Ave SW	Trash & Structure
Dino Valentine	4026 Lincoln St E	Expansion of Business / Junk yard
Charles Minard	3600 Lincoln St E	Expansion of Business / Junk yard

Closed Violations:

Vince Martin / Maxwell's Auto	2734 Cleveland Ave SE	CUP Fee Paid
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Litigation:

Stark County Board of Health –vs- Charles Minard Jr.

Jan 2, 2009 – Judge Brown issued 30 day notice to defendants; (1) secure garage, (2) remove all tires in garage, (3) remove auto parts from garage, and has authorized Canton Township to abate the public nuisance if not completed. – 13 Feb 09

Canton Township Board of Trustees –vs- William E. Edwards Jr.

Jan 2, 2009 – Judge Haas will meet with all parties. Trustees have a copy of proposed settlement.

Public Nuisance Hearing:

Timothy Lynn - 3963 Richville Dr., SW Canton OH – Parcel #13-09804

Public Nuisance Hearing – July 8, 2008

Property has large amounts of solid waste – Over 25 Unlicensed and Inoperable vehicles – Abandon / wrecked recreational vehicles – Large accessory building collapsed – Tires on and off rims.

Building & Structures – 90 Days total removal of collapsed building – 9 Oct 08

Vegetation, Garbage Refuse, Debris – 60 Days removal – 9 Sept 08

Collapsed building removed – 30 Nov 08

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$128,144.28 and payroll in the amount of \$50,447.08 for total checks of \$178,591.36. Mr. Nichols made a motion to approve the checks as presented, seconded by Mr. Smith 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 new PO & BC lists to be given to Department Heads on Thursday, February 26.

Mr. Wilcox made a motion to approve 2009 Permanent Appropriations of \$4,429,913.12. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

- FYI: > Tax advances from Stark County Auditor’s office started February 13th and should continue every Friday for the next six weeks.
- > Natural Gas Rates

PUBLIC SPEAKS:

No Public Speaks this evening.

TRUSTEES:

MR. SMITH:

- FYI: > Township Trustees meeting with Stark County Engineers will be Saturday, April 4th at 900am
- > Tax Incentive Review Council meeting will be Monday, March 9th at 1:30pm at Stark County Office Building

MEGA Event:

Mr. Smith made a motion to approve the Board of Trustees participating in the Canton Local Schools MEGA event to be held at Canton South High School on Saturday, May 16, 2009 from 3pm to 7pm. Motion seconded by Mr. Nichols and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

EXECUTIVE SESSION:

Mr. Smith made a motion to approve moving into Executive Session at 8:27pm with the Trustees and Fiscal Officer 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 approve moving out of Executive Session at 8:44pm. Motion seconded by Mr. Nichols.

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

Street Lighting:

Mr. Smith made a motion to approve sending the current/updated list of 157 street lights to AEP. These lights are in CEDA areas or areas previously annexed into the City of Canton; and the Board is requesting these lights to be taken off Canton Township billing as soon as possible. Copy to be sent to the City of Canton. Motion seconded by Mr. Nichols and voting YES – MR. Smith, Mr. Nichols, and Mr. Wilcox.

MR. NICHOLS:

Website: He will be meeting with Les Lehman this Thursday, February 26 at 7:30am here at the township administration building to finalize details for getting our website up and running. Department Heads are welcome to attend.

EXECUTIVE SESSION:

Mr. Nichols made a motion to approve moving into Executive Session at 8:47pm with Trustees, Fiscal Officer and Fire Chief to discuss collective bargaining. Motion seconded by Mr. Wilcox.

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

Mr. Smith made a motion to approve moving out of Executive Session at 9:25pm. Motion seconded by Mr. Nichols.

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

MR. WILCOX:

Mikunda Baseball Field: Mr. Wilcox made a motion to approve putting Mikunda Baseball Field into the Canton Township Park System. Motion seconded by Mr. Smith and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

Work Session: Mr. Nichols made a motion to approve a Work Session to be held on Tuesday, March 31st at 6:30pm at the Township Administration Building; and the Board will also tour Faircrest Park as part of this Work Session. Motion seconded by Mr. Wilcox and voting YES – Mr. Smith, Mr. Nichols, and Mr. Wilcox.

No further business coming before the Board, Mr. Wilcox made a motion to adjourn at 9:33pm, 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