

**MINUTES OF THE REGULAR MEETING OF
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD MONDAY, FEBRUARY 22, 2010**

The Canton Township Board of Trustees met in a Regular Session at 7:00pm
on Monday, February 22, 2010 with all three Trustees present.

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

MINUTES:

Mr. Smith made a motion to approve and waive the reading of the minutes from the February 09, 2010 Regular Meeting. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Wilcox made a motion to approve and waive the reading of the minutes from the February 16, 2010 Special Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

FIRE:

Fire Chief presented receipts for two weeks for the following: \$19,646.06=Ambulance Billing, \$5.00=CPR, for a total of \$19,651.06. 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. Smith made a motion to approve closing 1 BC:

#15 = Training Supplies & Expenses

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

Mr. Nichols made a motion to approve and sign the CENCOM dispatching service agreement with Nimishillen Township Fire Department, for one year, at the rate of \$6,304.17 per month. Motion seconded by Mr. Wilcox.

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

Mr. Nichols made a motion to amend the approval and signing of the CENCOM dispatching service agreement with Nimishillen Township Fire Department, at the rate of \$6,304.17 per month, on a month-to-month basis. Motion seconded by Mr. Wilcox.

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

FYI: >Trustees given copy of Ohio Billing credit & billing report for January, 2010
> Update: Fire Station #5 will no longer be used as a voting poll location

ROAD:

Mr. Wilcox made a motion to approve closing 1 BC and 2 PO's:

- BC
- #19 = Supplies
- PO
- #38 = Central Allied Ent
- 43 = Municipal Signs

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

FYI: > Road salt bins are full and 150 tons on stand-by if needed.

ZONING:

Zoning Director presented receipts for two weeks in the amount of \$222.85. 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

AGE / RCC Corp	1600 Raff Ave SW	Occupancy Permit
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NEW VIOLATIONS

Resident/Rental Property	250 - 32nd St SW	Trash
Nancy Whipkey	3250 Lincoln St E.	No Permit/Structure
Terry Deibel (2 nd notice)	3117 Waynesburg Dr. SE	Trash & Debris

FYI:

- > Wednesday - February 24, 2010 - 7:00pm
 - Public Hearing - Canton Township Board of Zoning Appeals
 - Donald Bradford - 1518 Bywood St SE: Requesting Home Occupation to be licensed
 - FFL Gun Dealer
- > Zoning Director providing updated 2010 Violation List
- > Stark County Regional Planning Governmental Law Seminar was held Saturday, February 20 and was attended by the Zoning Director and 6 members of the Zoning Commission and Zoning Board of Appeals. This seminar was very well attended and very informative. Thank You to the Trustees for allowing them to attend.
- > Minard (C&M Auto Sales) *and* Taylor (Taylor Auto Sales) Legal Action Update:
 - Atty. Charles Hall informed the Board he has received an opinion from the Prosecutor's office that these 2 cases can be processed and enforced. He has prepared documentation for the Trustees to review before the next meeting.

FISCAL OFFICER:

Fiscal Officer presented bills in the amount of \$105,604.26, and payroll in the amount of \$94,561.62, for total checks of \$200,165.88. Mr. Smith made a motion to approve the checks as presented, seconded by Mr. Wilcox 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 BC/PO lists to be given to Department Heads on Thursday, February 25.

FYI: > At one of the seminars at the OTA Conference in Columbus, Fiscal Officer was informed that the allocation of audit costs can be spread over several funds. He will put together a proposal, have it reviewed by Atty. Hall, and present it to the Board for approval.

EXECUTIVE SESSION:

Mr. Nichols made a motion to approve moving into Executive Session at 7:22pm with the Trustees, Fiscal Officer, and township additional legal counsel, Charles Hall, to discuss the 2006-2007 audit. Motion seconded by Mr. Wilcox.

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

Mr. Nichols made a motion to move out of Executive Session at 7:31pm, seconded by Mr. Wilcox.

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

PUBLIC HEARING:

Mr. Nichols called the Canton Township Board of Trustees Public Hearing CA-1-09 to order on Monday, February 22, 2010 at 7:32pm.

The Board will consider the proposed text additions to the Canton Township Zoning Resolution concerning Outdoor Wood Furnaces, Advances in Wind Energy, and Housing of Ex-Offenders.

This Public Hearing was recorded, in its' entirety, by Premier Court Reporting.

Mr. Nichols made a motion to accept the proposed amendments to the Canton Township Zoning Resolution that have been presented with these modifications:

Article IV - Definitions

EX-OFFENDER RE-ENTRY HOUSING:

After the first two words "any resident" add the words "dwelling unit".

After the word "marriage" add the word "and".

After the word "ex-felon" delete the word "ex-misdemeanants".

After the words "sex offenders" add the phrase "of either a misdemeanor or a felony classification".

Article VIII – Conditional Zoning Certificates

Section 800.3 #158

EX-OFFENDER RE-ENTRY HOUSING:

After the words "secondary school" add the words "a licensed daycare facility"

Motion seconded by Mr. Smith.

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

Amendment modifications are approved and will take effect in thirty (30) days.

Public Hearing is closed at 8:30pm

PUBLIC SPEAKS:

Debbie Haidet = 3212 – 5th St SE – Canton Township

Mrs. Haidet has a continuous problem with her neighbor at 3215 – 5th St SE. (she presented pictures to the Board for their review). It never stops. Each time the Township comes out and asks him to clean up, it's clean for a short time then he brings back truck loads of junk. He brings cars in on flatbed trucks, strips them down and there are parts all over the street and anywhere else he wants to put them. More than once, when she tries to get out of her driveway, she has to move a tool box, a battery charger, etc. because they are in the middle of the street. This past weekend, she called the Sheriff Dept. because she needs to have clear access for emergency services due to an ill husband and mother-in-law. He cleans out homes and dumps

the stuff off his truck and burns it. The fires are huge and fumes are very strong. He had a huge blaze going because he intentionally set a couch on fire. He is using the vacant house next door as his parking lot for cars and storage for tires, which he mounts and balances in the middle of the street. Sunday morning she had two nails in her tires because the Sheriff was there Saturday night. She doesn't know what else to do. She is not moving because of him, but is afraid of what he will do next. Mrs. Haidet also thanked the Road Dept. for taking such good care of clearing the streets during the recent snow storms. The Zoning Director asked Mrs. Haidet if Mitch Ferguson, the property owner, is doing this, or just his sons. She stated they all are doing it. Zoning Director will be there tomorrow.

Virgil Slutz = 4403 Argyle St SE, Canton Township

Mr. Slutz stated he has lived at this address since 1986. At that time, he approached the township about maintaining this road, but was told that road had been moved and it was not the township's to take care of, so he took care of it himself. A few years later, he found out the State of Ohio was paying the township to maintain the road. It was surveyed and was in the proper area but the township still did not want to take care of it. He took care of it himself until he had an accident and had his leg cut off. In 1998 he came to another meeting and told the Trustees he could no longer take care of this road and they had to do it, so the township started to maintain the road. It has never been brought up to good standards; there is not a good base on this road and there is a lot of soft spots. Over the past few years, he has talked to the Road Superintendent about getting it black-topped. If that cannot be done, he would like the township to dig the soft spots out, throw in some gravel, and chip & seal it.

TRUSTEES:

MR. NICHOLS:

Website Update = Department Heads to get info to Judy by end-of-day on Thursday, in order for him to forward to Les Lehman this weekend.

Zoning Changes = Mr. Nichols made a motion directing Atty. Charles Hall to write a resolution changing Canton Township internal procedures for mailing notification of proposed conditional use and zone change meetings. This is to expand the radius for mailing notices to properties within five hundred (500) feet of the proposed zone change. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

MR. WILCOX:

Park Advisory Board Meeting = Mr. Wilcox made a motion to approve the Trustees meeting with the Park Advisory Board at 6:30pm on Tuesday, March 9th, prior to the start of the 7:00pm Regular Meeting. Motion seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

MR. SMITH:

Tax Abatement Meeting = There will be a Tax Abatement Review Council meeting on Tuesday, March 9th at 9:00am for Foundation Systems and Anchors (Anthony Codispodi). Trustee Bill Smith will not be able to attend; Fiscal Officer Ron Smith will attend the meeting in his place.

No further business coming before the Board, Mr. Smith made a motion to adjourn at 8:54pm, seconded by Mr. Nichols 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