

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD TUESDAY, MARCH 25, 2008**

The Canton Township Board of Trustees met in Regular Session at 7:00pm
on Tuesday, March 25, 2008 with all three Trustees present.

Pledge of Allegiance

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

Also Present: Zoning Director Marshall Lewis, Road Superintendent Dave Robertson, Fire Chief Scott McKibben, and Township Additional Legal Counsel Charles Hall.
Absent: Fiscal Officer Ron Smith.

MINUTES:

Mr. Nichols made a motion to approve and waive the reading of the minutes of the March 11, 2008 Regular Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

FIRE:

Fire Chief presented receipts for two weeks for the following: \$6,400.28=Ambulance Billing, for a total of \$6,400.28. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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

56 = Office Max
126 = Gatchell Grant Resources

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

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

\$2,000.00 = Office Max
5,000.00 = Dell

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

Mr. Nichols made a motion to approve awarding the bid for Fire Station #5 roof replacement to Aztec Roofing, at a cost not to exceed \$16,900.00. This after the review of all bids and recommendation from Atty. Charles Hall. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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

\$16,900.00 = Aztec Roofing

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

Mr. Smith made a motion to approve hiring Jonathan R. Peters as a full-time firefighter, effective April 1, 2008. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

At this time, Mr. Nichols administered the Firefighters Oath of Office to Jonathan Peters.

Mr. Wilcox made a motion to approve promotion of Captain Scott Johnson to Senior Captain. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Nichols made a motion to approve promotion of Captain Robert Furney to Senior Captain. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Smith made a motion to approve re-instating Joseph Keiffer to part-time firefighter. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion to approve Fire Chief and possibly Mr. Nichols to attend the 2008 Fire Station Design Conference in Phoenix, Arizona at the end of April. Cost not to exceed \$1,000.00 for both registrations. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

FYI: > Shift Commander will be in place, randomly, starting with the April 1st schedule.
> February Ohio Billing report given to Trustees.

ROAD:

Road Superintendent presented receipts for two weeks for the following:
\$544.95=Reimbursement for road salt from Canton Local Schools, for a total of \$544.95.
Mr. Nichols made a motion to accept the fees as submitted, seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion to approve closing 1 PO;
#35 = McIntosh Oil Co
Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Nichols made a motion to approve opening 1 new BC and 1 new PO:
BC
\$10,000.00 = Repairs
PO
\$11,290.18 = Bank of Magnolia
Motion seconded by Mr. Smith. Voting YES pending Fiscal Officer certifying funds are available – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion to approve opening a Then and Now PO:
\$10,000.00 = Cargill Salt Co
Motion seconded by Mr. Smith and voting YES pending Fiscal Officer certifying funds are available – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

- FYI: > 2007 EPA Phase II Stormwater Report to be finished this week
> Road crew patching pot holes daily, weather permitting
> Damage to Whipple Ave SW due to semi-trucks going in/out of Edward C. Levy Co. Company in Perry Township – Road in Canton Township

Mr. Wilcox made a motion to approve Atty. Charles Hall drafting a letter to Stark County Sheriff on behalf of the Board of Trustees, requesting portable scales to weigh trucks going in-out of Levy Co. on Whipple Ave SW. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion to amend this previous motion to delay sending the letter to the Stark County Sheriff requesting portable scales on Whipple Ave SW until a meeting can be set up with a Township Trustee, the Road Superintendent, a representative from the Edward C. Levy Co. and Atty. Hall to discuss the road problem and possible solutions. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols. Road Superintendent will call plant manager at the Levy Company to schedule a meeting.

Road Superintendent thanked Plain Township for the use of their sewer jet to unplug three storm sewers.

ZONING:

Zoning Director presented fees for two weeks in the amount of \$821.00. Mr. Wilcox made a motion to accept the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion to approve scheduling a Public Hearing for CA-1-08 which is for a re-classification of R-2 Single Family Residential to B-3 Commercial Business. Public Hearing to be Tuesday, April 8, 2008 at 7:15pm. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Nichols made a motion to approve and Board President to sign authorization giving permission to the Ohio Department of Agriculture to place an Emerald Ash Borer Survey Trap on township property, here at the Administration building and at the Community Park. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Mr. Wilcox made a motion to approve Zoning Director using a township vehicle and township road signs to assist Canton South Band with their Adopt a Highway and Roadside Clean-Up project to be held on Saturday, April 12th. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

FYI:

- > Meeting – Board of Zoning Appeals – Tuesday, April 1 – 7:00pm
- > 2 Work Sessions – Zoning Commission – Tuesday, April 15 & 29 – 7:00pm
- > Public Hearing – Zoning Commission – April 30 – 7:00pm
Re-Classification R-2 Single Family to B-2 Neighborhood Business

New Violation Letters Sent:

935 – 46th St SW (Pribula)
4414 Millport SW (Robbins)

unlicensed/inoperable vehicles
storage of semi-trucks in residential

> Business in Residential (as of March 24, 2008)

- 2500 Baum SE **J&J's Appliance Service, John & Mary Blend**, - CLOSED -
- 3025 Helen NW **Juniors Drain, Offineer, Luke A.**, - CLOSED – business owner James Sloan has moved Jr. Drains to North Canton. Site inspection confirmed the business has relocated.
- 1847 Faircrest SE **A&D Volpe Construction, Volpe, Daniel**, Submitted application for Home Occupancy – **Hearing 1 April 2008**
- 2720 Baum SE **Buckeye Seed & Supply, Joyce Bowman**, 20 March 2008, business owner Scott Shaffer is filing for Home Occupation
- 3143 Prairie College SW **Daniels Welding & Fabricating, Rose, Daniel**, 20 March 2008, 3rd notice sent by attorney, business owner is preparing application for Home Occupation
- 3712 Baum SE **Leader Landscaping Business, Kerestes**, Submitted request for non-conforming certificate – **Awaiting review by BZA – 1 April 2008**
- 4821 Dueber SW **Franks Excavating, Franks, James & Barbara**, Submitted request for non-conforming certificate – **Awaiting review by BZA - 1 April 2008**
- 2001 Prairie College SW **Steinbach Tree Trimming & Excavating, Steinbach, Donald & Bonnie**, Submitted request for non-conforming certificate – **Awaiting review by BZA - 1 April 2008**
- 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
- 1124 Carnwise SW **Biltmore Enterprise, Kidd, Robert & Rhonda**, 17 Oct 07, 3rd notice sent by attorney – 19 March 2008, filed papers for Home Occupation, awaiting verification of application
- 4060 Dueber SW **Griffith Septic Services, Griffith, Terry E & Deborah L.**, 20 March 2008, - applying for Home Occupation, awaiting verification of application
- 1810 Faircrest SE **Woody's Tree Service, Montgomery, Michael**, - Attorney contacted Charlie Halls to discuss agricultural use, - 20 March 2008, no further updates.
- 4134 Fairknoll SE **Quality Turf / Quality Custom Embroidery, Edwards, Bill** Received notice from legal council for extension request from Mr. Edwards's attorney granted till 29 Feb 08 – 19 March 08, Bill Edwards has discussed several options with Zoning Inspector, he has not filed for Home Occupation.
- 2987 46th SW **Singlesource Roofing, Wearstler Mark G & Kimberly A.** Initial letter 1-Oct-07, 3rd Notice sent 7 March 08, no contact.
- 3224 15th NW **Morse Communications, Reid, Levi & Melissa**, Initial letter 11-Oct-07, 3rd notice sent 7 March 08, no contact
- 361 Dietz NE **R& R Express, Leroy Jeter** Initial letter 18 Jan 08, no contact, second letter 8 Feb 08, 3rd notice sent 7 March 08, no contact
- 5348 Briggles SW **Foraker Drywall, Foraker, Timothy**, Initial letter 1-Oct-07, -- Corrected address – resent letter certified 10 Nov 07, 3rd notice 7 March 08, no contact

FISCAL OFFICER:

In the absence of the Fiscal Officer, the Zoning Director presented bills in the amount of \$51,200.15, and payroll in the amount of \$70,755.24, for total checks of \$121,955.39. Mr. Nichols made a motion to approve the checks as submitted, seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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, March 27.

PUBLIC SPEAKS:

No Public Speaks this evening.

TRUSTEES:

MR. WILCOX:

Community Park – Septic System = Mr. Wilcox made a motion to approve MDS & Associates to provide prints for septic system for the Community Park, at a cost not to exceed \$1,000.00. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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

\$1,000.00 = MDS & Associates

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

Community Park – Electric = Mr. Wilcox made a motion to approve American Electric Power to run poles, wire, and transformer into Community Park, at a cost not to exceed \$2,500.00. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

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

\$2,500.00 = American Electric Power

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

Community Park – Porta-Jons = Mr. Smith made a motion to approve Miller & Company providing and servicing two porta-jons for the Community Park, plus servicing the Township owned handicapped porta-jon, April through October, 2008. Motion seconded by Mr. Nichols and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

PO = Mr. Smith made a motion to approve opening a new PO:

\$1,000.00 = Miller & Company

Motion seconded by Mr. Nichols voting YES pending Fiscal Officer certifying funds are available – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Enterprise Zone Agreement – Airgas = Mr. Wilcox made a motion to approve signing the Enterprise Zone Agreement name change from Linde Gas to Airgas Merchant. Motion seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

BWC Settlement – C.Biery = Mr. Smith made a motion to approve Frank Gates Co. negotiating a lump sum BWC settlement for Curtis Biery in the amount of \$1,500.00. Motion seconded by Mr. Wilcox and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

FYI: > Trustee regular meeting of April 22nd approved by Canton Local Schools to be held at Walker Elementary School. Repository notified of meeting location change.

MR. NICHOLS:

Open/Close Park Gates = Mr. Nichols made a motion to approve opening a new BC to cover cost of opening/closing the Community Park gate from April through October 2008 at a cost of \$300.00 per month:

BC = \$2,100.00 = Open/Close Community Park Gates

Motion seconded by Mr. Smith and voting YES pending Fiscal Officer certifying funds are available – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

Website = Website consultants will be at Trustee Work Session on April 1st. Department Heads were provided with information to expand their website sections further. Mr. Nichols would like feed back from Department Heads for the April 1st Work Session.

MR. SMITH:

Newsletter Items = Mr. Smith requesting outline of 3 or 4 topics for the newsletter from each Department Head, this to be ready for next meeting. Goal is next newsletter to be ready for print by end of April.

No further business coming before the Board, Mr. Nichols made a motion to adjourn at 7:56pm, seconded by Mr. Smith and voting YES – Mr. Wilcox, Mr. Smith, and Mr. Nichols.

(absent)
Ronald L. Smith, Fiscal Officer

James A. Wilcox, President

William C. Smith, Vice President

Christopher B. Nichols, Trustee

FUND STATUS REPORT

03-25-08

<u>FUND NUMBER</u>	<u>FUND NAME</u>	<u>FUND BALANCE</u>	<u>% of TOTAL CASH BALANCE</u>
1000	General	211,327.33	21.720
2011	Motor Vehicle License Tax	14,618.19	1.502
2021	Gasoline Tax	2,314.70	0.238
2031	Road & Bridge	213,012.55	21.893
2111	Fire District	152,772.73	15.702
2171	Park Advisory	83.56	0.009
2181	Zoning	14,794.27	1.521
2191	Special Levy	184,987.37	19.013
2231	Permissive Motor Vehicle	57,118.98	5.871
2281	Fire, Rescue, Ambulance	78,721.48	8.091
2401	Special Assessment	16,204.69	1.666
2901	FEMA 1484 Flood Plain	0.00	0.000
2902	Cheyenne Bridge Project	0.00	0.000
2903	Fire Loss Claim Fund	0.00	0.000
2904	FEMA Fire Grant	<u>27,000.00</u>	2.775
	TOTAL	972,955.85	