

**MINUTES OF THE REGULAR MEETING OF THE
CANTON TOWNSHIP BOARD OF TRUSTEES
HELD TUESDAY, JULY 31, 2007**

The Canton Township Board of Trustees met in a Regular Session on
Tuesday, July 31, 2007 at 7:00pm with all three Trustees present.

Pledge of Allegiance

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

Also in attendance: Zoning Director Marshall Lewis, Road Superintendent Dave Robertson and Fire Chief Scott McKibben..

Absent: Fiscal Officer Ron Smith (vacation)

MINUTES:

Mr. Wilcox made a motion to approve and waive the reading of the minutes of the July 17, 2007 Special Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion to approve and waive the reading of the minutes of the July 17, 2007 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 of the July 24, 2007 Special Meeting. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

FIRE:

Fire Chief presented receipts collected for two weeks for the following:
\$2,666.21=Ambulance Billing, \$100.00=Donation, and \$100.00=CPR, for a total of \$2,866.21. Mr. Nichols made a motion to accept the report/fees as submitted, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion approving the rehire of Jason Peters to part-time service from the paid-on-call staff. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

ROAD:

Road Superintendent presented receipts collected for two weeks for culvert pipe in the amount of \$80.00. Mr. Wilcox made a motion to accept the fees as submitted, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

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

#41 = Hursh Builders Supply

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

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

\$1,000.00 = Hursh Builders Supply

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

- FYI:
- > Drainage problem on 23rd St SW due to heavy rains
Working with Stark County Engineers to possibly get larger drainage pipes installed in that area
 - > CDL Class “A” testing was conducted today
All 4 Road Department employees successfully passed the exam.
All 7 Road Department employees are now licensed CDL Class “A” drivers
 - > Tree trimming on Belden Ave SE
Received a Thank You letter from resident at 3830 Belden SE for the quick response by the Township to trim trees along the road which caused poor visibility for drivers.
 - > EPA Meeting at Stark Soil and Water Conservation District last Wednesday
EPA has hired someone to do pre and post construction evaluations; and also discussed the possibility of Stark County establishing a consortium for the storm water program.
 - > Drainage problem project on Carnwise and Forestdale will start tomorrow

7:15pm - PUBLIC NUISANCE HEARING

(This hearing was recorded, in its' entirety, by Hill Court Reporters)

Owner: Tracy Becker, Donald Crawford, David Crawford

Situated at: 4727 Martin Drive SE, East Sparta, Ohio

Nature of Nuisance:

Structure being unsafe, insecure, and structurally defective or inhabitable

Mr. Wilcox made a motion to approve the removal of the home, secure the septic system and other services, and fill and reseed the property. Motion seconded by Mr. Smith.

ROLL CALL VOTE:

Mr. Christopher B. Nichols	-	YES
Mr. William C. Smith	-	YES
Mr. James A. Wilcox	-	YES

Mr. Nichols made a motion to approve entering into contract with DeSantis Enterprises, pursuant to their quote of \$5,500.00, for the removal and fill-in of the home at 4727 Martin Drive SE. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Nichols made a motion to approve opening a PO, in the amount of \$5,500.00, to DeSantis Enterprises. Motion seconded by Mr. Smith. Voting YES, pending certification by the Fiscal Officer that funds are available, Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Wilcox made a motion to adjourn the Public Nuisance Hearing at 7:30pm, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

ZONING:

Zoning Director presented zoning fees for two weeks in the amount of \$2,309.00. Mr. Smith made a motion to accept the report/fees as submitted, seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

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

#32 = Pitney Bowes

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

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

\$800.00 = Purchase Power/Pitney Bowes (postage)

Motion seconded by Mr. Smith. Voting yes, pending certification by Fiscal Officer that funds are available, Mr. Nichols, Mr. Wilcox, and Mr. Smith.

FYI:

- > 3209 and 3215 – 5th St SE = Complaint two weeks ago by Mrs. Haidet, who lives across the street from these two properties. Zoning Director took pictures of the properties the next day, and also made contact to the property owners both by mail and phone. Now, two weeks later, the properties have been cleaned up. Mrs. Haidet called to report she is happy with the clean-up; although her vehicle had the breakline cut again, and she believes it is residents across the street that are responsible.
- > 3221 Sandy Ave SE = Property owner (Mr. Mellon) was notified he had until July 31 to move his vehicles and park them neatly behind his garage. As of today, only one of the five vehicles has been moved behind his garage. Zoning Director recommended legal action be taken.

Mr. Smith made a motion to approve forwarding documentation for the Mellon Nuisance to Atty. Charles Hall to pursue legal action. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

New Violation Letters Sent:

3209 – 5 th SE (Taurus Properties)	debris/trash/unlicensed vehicles
3003 Joseph NW (Layman)	no permit for accessory buildings
408 – 48 th SW (Ramnytz)	no permit for deck/pool
4812 Cleveland So (Kochovski Construc)	high grass
1112 Oak NW (McWhorter)	debris/trash
5512 Frey SW (Sloan)	parking/storage of vehicles
306 Elmpart NE (Heartwood 88)	debris/trash/unlicensed vehicles
250 – 32 nd SW (Dugan)	debris/trash/high grass
1541 Raff SW (Lustrious Metals)	high grass
307 – 48 th SW (Avalar Realty)	debris/trash
2609 Central SE (Miller)	high grass
302 – 29 th SW (Stottler & Assoc)	parking/storage of vehicles and semi in residential area

Violations Complied With:

2747 Waynesburg SE (Sees)	parking/storage of vehicles – removed
1222 Waynesburg SE (Cole/Davis)	dust/smell – purchased new equipment
3209 – 5 th SE (Taurus Properties)	debris/trash/unlicensed vehicles – property cleaned

Manard property on Waynesburg Drive SE Nr. Nichols asked if Zoning Director followed through with the motion made at the last meeting that stated if Mr. Manard did not have this property cleaned up by August 1, 2007, the Township would follow through with Nuisance Hearing ruling that was approved earlier this year. Zoning Director had no response to letter and he has not made contact with Mr. Minard.

Mr. Nichols made a motion to approve Zoning Director presenting recommendation, at the next regular meeting, as how to clean up the Minard property on Waynesburg Drive SE pursuant to the Nuisance Hearing ruling; and also to get legal opinion from Atty. Charles Hall to see if the Board would be better off taking this nuisance directly to legal action. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

FISCAL OFFICER:

In the absence of the Fiscal Officer, Board President Nichols presented bills in the amount of \$32,246.78, and payroll in the amount of \$45,865.37, for a total of \$78,112.15. Mr. Nichols made a motion to approve the checks as submitted, 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 PO & BC lists to be given to Department Heads on Thursday, August 2.

FYI:

- > DeGordon NSF check
- > 2002-2003 Audit Findings Responses faxed to Varney/Fink last Friday

PUBLIC SPEAKS:

Mitch Ferguson = 3215 – 5th St SE – Canton Township

Mr. Ferguson was here this evening in response to his neighbor's complaint to the Township. He feels she is continually harassing him about his property.. He has made many improvements to this property over the past five years; and he has cleaned-up his property as the Township requested. She has made accusations that he has tampered with her vehicles. If she has security cameras on her property as she says she does, he suggested the Board look at the tapes. He has never been on her property or tampered with her vehicles.

TRUSTEES:

MR. NICHOLS:

Amos McDannel School Staff/Community Park = Mr. Nichols made a motion to approve the Amos McDannel Elementary School staff using the Community Park pavilion, at no charge, on Friday, August 17, at 6pm, for their back-to-school staff

meeting/party, provided that date and time have not already been rented. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Website = Home page and meeting minutes are up and working, depending who your internet provider is. More coming soon.

Auction = Per legal opinion from Atty. Charles Hall, Mr. Nichols made a motion to accept the quote and proceed with Russ Kiko Associates, Inc. to schedule and conduct the township auction to include the sale of the Community Center and miscellaneous personal property. Motion seconded by Mr. Wilcox and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

EXECUTIVE SESSION:

Mr. Nichols made a motion to move into Executive Session at 7:55pm with the Trustees and Fire Chief to discuss pending litigation. 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 8:01pm, seconded by Mr. Wilcox.

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

MR. WILCOX:

Rebstock Property = After research and discussion with Franks Excavating, and the Stark County Health Department, Mr. Wilcox made a motion to approve the Board sending a letter to Dorothy Rebstock stating the Township is not at fault or liable for any property damage at 4652 Central Avenue SE. Motion seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Baseball Tournament = The ten-year-old Canton South Baseball teams have cancelled their tournament at the Community Park due to players having commitments to other fall sports practice.

MR. SMITH:

Sanitary Sewer Projects = After discussions and written correspondence with Mike Armogida, Director of the Stark County Metropolitan Sewer District, Mr. Smith made a motion to approve sending the proposal from Stark County Metropolitan Sewer District to Grant Source Professionals to research and pursue grant money thru CDBG (*Community Development Block Grants*) and/or other funding possibilities for proposed sanitary sewer projects in Canton Township. Motion seconded by Mr. Nichols and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

Mr. Smith made a motion to approve opening a new PO, in the amount of \$550.00, to Grant Source Professionals. Motion seconded by Mr. Nichols and voting YES, pending certification by the Fiscal Officer that funds are available, Mr. Nichols, Mr. Wilcox, and Mr. Smith.

No further business coming before the Board, Mr. Nichols made a motion to adjourn at 8:11pm, seconded by Mr. Smith and voting YES – Mr. Nichols, Mr. Wilcox, and Mr. Smith.

(absent)

Ronald L. Smith, Fiscal Officer

Christopher B. Nichols, President

James A. Wilcox, Vice President

William C. Smith, Trustee

FUND STATUS REPORT
07-31-07

<u>FUND</u> <u>NUMBER</u>	<u>FUND NAME</u>	<u>FUND</u> <u>BALANCE</u>	<u>% of TOTAL</u> <u>CASH BALANCE</u>
1000	General	77,140.66	7.268
2011	Motor Vehicle License	11,660.44	1.099
2021	Gasoline Tax	104,613.07	9.857
2031	Road & Bridge	254,720.27	24.000
2111	Fire District	132,727.36	12.506
2171	Park Advisory	83.56	0.008
2181	Zoning	31,342.28	2.953
2191	Special Levy	325,667.07	30.684
2231	Permissive Motor Vehicle	26,638.34	2.510
2281	Fire, Rescue, Ambulance	48,325.56	4.553
2401	Special Assessment	30,189.81	2.844
2901	FEMA 1484 Flood Plain	15,984.10	1.506
2902	Cheyenne Bridge Project	2,258.79	0.213
2903	Fire Loss Claim Fund	<u>0.00</u>	0.000
		\$1,061,351.31	