

BOARD OF SMITH TOWNSHIP TRUSTEES DATE: January 10, 2023 at 7:00 P.M.

**ORGANIZATIONAL MEETING OF THE BOARD OF TRUSTEES
FOR THE 2023 CALENDAR YEAR**

Prayer & Pledge of Allegiance, led by Fiscal Officer, Audrey Fox.

Call meeting to order

Roll call:

Mr. Showalter	Present	<u> X </u>	Excused	<u> </u>
Mr. Criss	Present	<u> X </u>	Excused	<u> </u>
Mr. Barnett	Present	<u> X </u>	Excused	<u> </u>

Attorney, Mark Finamore was also present.

1. Motion to appoint Fiscal Officer, Audrey Fox, Chairperson Pro Tem. Passed.

Moved by Mr. Barnett Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

FISCAL OFFICER ENTERTAINS MOTION FOR APPOINTMENT OF CHAIRPERSON.

2. Motion to appoint Mr. Scott Showalter, Chairperson for 2023. passed.

Moved by Mr. Criss Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- Yes No Mr. Showalter

*** Fiscal Officer turns gavel over to Elected Chairperson for further proceedings***

CHAIRPERSON ENTERTAINS MOTION FOR APPOINTMENT OF VICE CHAIRPERSON

3. Motion to appoint Mr. Terry Criss Vice Chairperson for 2023. Passed.

Moved by Mr. Barnett Seconded by Mr. Showalter

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter
- Yes No Mr. Criss

SMITH TOWNSHIP ORGANIZATIONAL & FIRST REGULAR MEETING JANUARY 11, 2022 @ 7:00pm

4. Motion to appoint Mr. Terry Criss responsible for Public Safety (Fire and Police) for 2023. passed

Moved by Mr. Barnett Seconded by Mr. Showalter

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter
- Yes No Mr. Criss

5. Motion to appoint Mr. Larry Barnett responsible for the Road Department for 2023. passed

Moved by Mr Criss Seconded by Mr. Showalter

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter
- Yes No Mr. Barnett

6. Motion that the Board of Smith Township Trustees shall conduct its meetings in full compliance with the Ohio Sunshine Law and accordingly establishes the following rules for the scheduling and notice of all meetings. Passed.

Moved by Mr. Barnett Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

7. REGULAR MEETINGS – The Board of Trustees will convene one (1) Regular meetings of the Board of Trustees per calendar month. The regular meeting shall be held on the first Tuesday of every month at 7:00 PM. Notice of the Regular Meetings shall be posted on the Township website or the local Newspaper.

II. SPECIAL MEETINGS – Notice of special meetings of the Board of Trustees shall be given by posting advanced written notice of the same in a conspicuous place outside the Township Hall, or on the website. Additionally, notice of all special meetings shall be given to the Alliance Review at least 24 hours in advance of the meeting, except in an emergency in which case the notices shall be given as soon as practicable. Passed.

Moved by Mr. Barnett Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

8. Motion to pass a resolution that Trustees and Fiscal Officer of Smith Township shall be entitled to and paid the maximum compensation permitted per the Ohio Revised Code Sections §505.24(C) Compensation of Trustees and Ohio Revised Code Section §505.32 Compensation of Fiscal Officer, as in previous years. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Health Insurance

9. **RESOLUTION 2023-0110-01R** Smith Township will remain with Morris Financial Group as our insurance broker located in Salem, Ohio. We will keep our health insurance coverage for our employees with Anthem Blue SOCA. The employee contribution will remain the same for 2023 which is \$200.00 a month for family and \$100.00 per month for single. Passed.

Moved by: Mr. Barnett

Seconded by: Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Additional Insurances

10. **RESOLUTION 2023-0110-02R** to provide for, life, dental and vision insurances for Township elected officials and full-time employees in accordance with Ohio Revised Code Sections 505.60 et. Seq., as established prior to January 1, 2023. Copies of said policies on file with Fiscal Officer. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Reappoint Police Chief, Road Foreman, Zoning Inspector

11. Motion to appoint and rehire for 2023. Passed.

Police Chief: Paul Ceresna

Road Foreman: Zach Wagner

Zoning Inspector: Peggy Christy

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Compensation Rates for the Zoning Inspector

12. **RESOLUTION 2023-0110-03R** to pay the Zoning Inspector \$1,400 per month. Passed.

Moved by Mr. Criss Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Authorize annual Uniform allowance for the Police Department

9. **RESOLUTION 2023-0110-04R** to set the annual uniform allowance for full and part-time Police Dept. Employees in the amount of \$800.00 for full time and \$250.00 for part time, to be paid directly to employee as nonretirement income subject to withholding tax. Passed.

Moved by Mr. Barnett Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Authorize annual Uniform allowance for the Road Department

10. **RESOLUTION 2023-0110-05R** to set the annual uniform allowance for the Road Department full-time employees in the amount of \$500.00, to be paid directly to employee as nonretirement income subject to withholding tax. Passed.

Moved by Mr. Barnett Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnet
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Appointment and Compensation for Zoning Appeals Board Member

11. Motion to Reappoint the current members of the Zoning commission and the Zoning Appeals board and maintain the zoning stipends at the current rates of:

- Chairman \$30 per meeting
- Secretary \$40 per meeting
- Other \$25 per meeting. (Passed)

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Appoint Legal Counsel

12. Motion to Appoint Attorney Mark S. Finamore, of Turner, May & Shepherd Law Firm, as Township Law Director and Special Legal Counsel pursuant to ORC Section 309.09(B) in accordance with the contract for legal services executed between the parties to be paid at the rate of \$100.00 an hour and \$225 per meeting. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Mileage Reimbursement Rate

13. Motion to establish 2023 mileage reimbursement rate for authorized travel expenses of township at IRS designated amount of \$.655 per mile outside of Smith Township. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Township Service Contracts

14. Motion to continue all current month to month service contracts with all other political subdivisions and Township Vendors, subject to amendment and termination. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Township Officials, Employees Travel Conference, Seminar, Workshop, Training and Education

15. Motion to authorize township employees to attend meetings, seminars, workshops, conferences, schools, training or conventions for fiscal year 2023, and to allow and pay directly or by personal reimbursement all authorized expenses, after a formal request has been processed and approved.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Fiscal Officer

16. RESOLUTION 2023-0110-06R to authorize Fiscal Officer approval to transfer money within a fund as deemed necessary, and prepare super blanket certificates for an amount of money not in excess of an amount established by 2023 Budget Resolution. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Mahoning County Auditor Real-estate Tax Advances

17. RESOLUTION 2023-0110-07R Per Ohio Revised Code 321.34 Approval to request from the Mahoning County Auditor the advances for the real estate settlement & personal property taxes for the assessment year 2022, collection year 2023 when funds are available. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

18. Motion to adjourn organizational meeting. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

**** End of Reorganization Meeting ****

**FIRST REGULAR MEETING OF THE SMITH TOWNSHIP BOARD OF TRUSTEES
FOLLOWING THE ORGANIZATIONAL MEETING**

Adopt Agenda

1. Motion to adopt monthly meeting agenda. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Approve Monthly Minutes

2. Motion to approve the December 6, 2022 meeting minutes and the December 27, 2022 Special meeting minutes. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Citizens' Comments

Mr. and Mrs. Jade George and Charles W. Fox present.

Nadine and Eric Peterson were present to check on the status of a nuisance property issue at 825 Tennessee Ave. They reported that the water has been completely shut off and that electric has been shut off.

3. **Resolution 2023-0110-07A** The Township desires to provide for the abatement of property nuisance by *demolition* located at 825 Tennessee Ave., Sebring, Ohio within the Township pursuant to sections §505.86 and or § 505.87 of the Ohio Revised Code at a cost of \$9,700. See attached.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Approve Financial Reports

4. Motion to approve the Financial Report, and EFTs and Warrants for the month of December 2022 in the amount of \$106,905.74. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

5. Motion to approve and sign the Bank Reconciliation Summary for December, 31 2022 delayed until February 2023 meeting. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Trustee and Fiscal Officer Report

Issues Discussed:

6. **Resolution 2023-0110-01 be it resolved the Trustees approve the reallocation** to various funds and the budget increase to various funds to cover expenses. (see attached) Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

7. **Motion to approve the 2022 Mileage Certification** as of the end of 2021- 28.059 miles of public township roads. (Trustees to sign)

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

- Campaign Finance Report filed with the Office of Ohio Secretary of State. Contributions totaling \$935.00 received from Larry Barnett, Terry Criss, Audrey Fox, and Mark Finamore.

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- From the Mahoning County Board of elections- it would cost the Twp. approx. \$10,800 to hold a special election in May.
- Opioid Settlement Trust Notice of payment Year 2. Smith Twp. not listed. Terry to ask Paul to see why we were not included.
- Delinquent Tax Problem in Smith Township – Fiscal year 2021 and prior delinquencies of \$186,378.50.

Road Report

Zach Wagner, Road Foreman, present and presented the report for the month of December 2022:

- Cut tree up at the end of Morgan Ave.
- Showed Bob (new road laborer) around the Township and snow routes
- Road drag Martin and Best Rds.
- Filled in crossovers with HPM
- Hauled grits for snow and ice control
- Put ditching head on big tractor
- Filled potholes with HPM
- Plowed and salted 4 times
- Road checked after storms

Material used:

- Diesel: 207 Gallons
- Gas: 72 Gallons
- Salt: 50 tons
- #4 stone: 26 tons

Police Report

Chief Paul Ceresna was present. Statistics for the month of December 2022:

- 67 Incident Reports
- 9 Accidents
- 58 Citations
- 139 Traffic Stops
- 275 Business Checks

2022 YEARLY TOTALS:

- 977 Incident Reports
- 101 Accidents
- 823 Citations
- 1772 Traffic Stops
- 3091 Business Checks

Also, the Chief reported: Hired PT. Paul Vesco as a part-time Officer.

Fire Report

No Report Given.

Zoning Report

Peggy Christy, Zoning/Nuisance Property Inspector absent due to illness, Trustee Showalter presented the December 2022 Zoning Report:

- Handled all correspondence and phone calls related to zoning/nuisance issues.
- Fielded questions related to:
 - Surveys
 - Storage facility expansion
 - Garage addition/pole building
 - Solar arrays
 - Fishery letter composition for resident
- Investigated possible junk yard complaint on Elliott Rd.
- Discussed resuming zoning commission meetings in January with chair.
- Spoke with Maggie McGee of 911 re: postal service notification of address assignments.

8. **Resolution 2023-0110-07B** to declare the property structure located at 14161 Lake Park Row to be unsafe, structurally defective, a danger to life and health and unfit for habitation and to order abatement. Passed. (see attached Resolution)

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Showalter

Approve Reports

9. Motion to accept all reports. Passed.

Moved by Mr. Criss

Seconded by Mr. Barnett

Roll Call Vote:

- ✓ Yes No Mr. Criss
- ✓ Yes No Mr. Barnett
- ✓ Yes No Mr. Showalter

Adjournment

Motion by Chairman, Mr. Showalter to adjourn meeting.

Next Regular Meeting is 7:00 p.m. February 7, 2023.