

**SMITH TOWNSHIP REGULAR MEETING  
TUESDAY, OCTOBER 4, 2022  
AT 7:00 P.M. AT THE TOWNSHIP OFFICE**

**EIGHTH REGULAR MEETING OF THE SMITH TOWNSHIP BOARD OF TRUSTEES**

The meeting was called to order with a prayer & Pledge of Allegiance by Fiscal Officer, Audrey Fox.

Roll Call:

Mr. Showalter	Present	<input checked="" type="checkbox"/>	Excused	<input type="checkbox"/>
Mr. Criss	Present	<input checked="" type="checkbox"/>	Excused	<input type="checkbox"/>
Mr. Barnett	Present	<input checked="" type="checkbox"/>	Excused	<input type="checkbox"/>

Attorney, Mark Finamore was present.

**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 September 6, 2022 Regular 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**

Pam and Jada George were present to observe.

Two other residents attended but did not leave a name. They asked for guidance on reporting a nuisance property to the Mahoning County Health Department. Mark Finamore and Peggy Christy, Nuisance Inspector, discussed and gave direction.

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**Approve Financial Reports**

3. Motion to approve the Financial Report, and EFTs and Warrants in the amount of \$78,224.03 for September. Passed.

Moved by Mr. Barnett

Seconded by Mr. Criss

Roll Call Vote:

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

4. Motion to approve and sign the Bank Reconciliation Summary for September 30, 2022. 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:**

5. **Resolution 2022-0906-01 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

- Mark Finamore letter dated August, 31, 2022, RE: MSF – RC505.86 – Nuisance Abatement Form; Certification of Abatement Costs to County Auditor
- Mark Finamore letter dated September 13, 2022, RE: Personnel Employment; Holiday; Juneteenth to be recognized by the Township as required by Ohio Revised Code 511.10.
- NOPEC – Frequently asked questions.
- November meeting date set for November 8, 2022

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**6. Resolution 2022-1004-02 CONSENT TO ACCESS**

This Agreement is made this 4th day of October, 2022, by and between the **Mahoning County Land Reutilization Corporation (hereinafter “MCLRC”) and Smith Township (hereinafter “Township”)**. **The Township hereby gives consent and authorization to the MCLRC including their representatives and contractors, to enter the attached properties located in the Township.** The Township has issued Notice to Repair or Raze Structure Orders and/or Emergency Demolition Orders for the attached properties located in the township. These structures situated on the properties have been deemed by the Township as unsafe, a nuisance, or deficient in adequate exit way facilities, or constitute a fire hazard, or are otherwise dangerous to human life or the public and must be razed. (see attached property list) 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. Resolution 2022-1004-07 Be it resolved** that the Trustee vote to declare properties unsafe, unsecure, and structurally defective based on the inspection of the Townships Fire Chief. Passed (see attached resolution and property list)

Moved by: Mr. Criss    Seconded by: Mr. Barnett

Roll Call Vote:

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

**Road Report**

Zach Wagner, Road Foreman, presented the report for the month of September 2022:

- Filled potholes on various roads with 448 asphalt
- Swept roads to put asphalt down
- Get fair display loaded up and picked up from fairgrounds
- Road drag Martin and Best Rds., use 25 ton of #57 stone
- Pick up 32 tires off of Stanley Rd.
- Change driveway culvert on Oak St., use 3 ton of #617 stone
- Clean up brush and tree branches along road sides
- Fill potholes with HPM
- Get stone delivered

Materials used:

- Diesel: 191 gallons
- Gas: 75 gallons
- Asphalt: 96 tons
- HPM: 4 tons
- #57 stone: 50 tons
- #617 stone: 25 tons
- #8 stone: 50 tons
- #4 Stone: 50 tons

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**Police Report**

Chief Paul Ceresna was present and presented Statistics for the month of September 2022:

- 69 incident reports
- 5 Accidents
- 51 Citations
- 136 traffic stops
- 222 business checks

Full time Police Officer, J. Rhome resigned on 9/23, left for Minerva for higher pay and better benefits.

Re-hired Jeffrey Rober as part time officer.

Set Trick or Treat date for Oct 31, 2022 4:00 pm to 7 pm.

**\*\*The annual Trunk or Treat will be held October 22<sup>nd</sup> from 3:00 pm to 5:00 pm at Maple Ridge Park. \*\***

**Fire Report**

No report given

**Zoning Report**

Peggy Christy presented the following Zoning Report for September:

- Approved Planning Commission subdivision for McGrath property on Alliance-Sebring Rd.
- Heacock Rd.- rebuilding front porch-same dimensions-no permit needed
- Courtney Rd, building 32x64 building for farm/storage use
- Resident interested in purchasing nuisance house in North Benton
- Resident wants to bring in another single-wide mobile home on Norman Ave.
- sewer hookup questions
- Chuck Sandler, appraiser- needed zoning on Island Creek Dr.
- Mailed zoning resolution to Buell Consulting in MN
- Sandy Beam-Mahoning County Auditor's Office-questions re: manufactured homes in twp.
- Berkshire Hathaway Realty-church 21071 Lake Park use as home question
- Complaint on 13919 Frances Ave. re: debris and trailer brought in
- Hunting question on W. Middletown Rd.
- Rat infestation Maple Ridge area
- Zoning at Legacy Storage Solutions on Harrisburg-Westville Rd
- Concepcion Diez-address assignment

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8. **Motion to go into Executive Session** during the Regular meeting for the purpose of discussing employee compensation. It was moved and seconded that the Board go into Executive Session to consider the appointment and compensation of a Nuisance Abatement Investigator to enforce the provisions of RC§505.87 – Junk, Vegetation, Garbage, Refuse and other Debris. Also considered was compensation for fire inspector. Passed.

Moved by: Mr. Barnett                      Seconded by: Mr. Criss

Roll Call Vote:

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

9. **Motion to come out of Executive Session** and back into Open Session of the Board Meeting. It was moved and seconded that the Board come out of Executive Session and back into open Session of the Board 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

10. **Resolution 2022-1004-03** to Appoint a Nuisance Abatement Investigator and set the compensation for the Position.

BE IT RESOLVED, that the Board Appoint Peggy Christy as the Township Nuisance Abatement Investigator, the enforce the provisions of RC§505.87 – Junk, Vegetation, Garbage, Refuse and Other Debris, and that she be paid compensation for her position in the amount of a \$400.00 per moth Stipend; and that this position and compensation is in addition to her current position and compensation as the Township Zoning Inspector, and she shall report directly to the Board of Trustees. Passed.

Moved by: Mr. Criss                      Seconded by: Mr. Barnett

Roll Call Vote:

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

11. **Resolution 2022-1004-04** Compensation the Fire Chief for performing RC§505.86 – Structure Nuisance Abatement Inspections.

BE IT RESOLVED that the Board Compensate the Township Fire Chief (Fire Chief of Township Contracted Fire Protection Service with the Village of Sebring) to perform RC§505.86 – Structure Nuisance

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Abatement Inspections of Township Properties and provide written inspection reports with recommendation to the Board, in the amount of \$65.00 (10 properties) for each inspection and report performed.

BE IT FURTHER RESOLVED that such Inspections will be performed as a service which is not required to be provided in the Fire Protection Service Contract as a regular duty of the Fire Chief, whose services under the contract will take preference over his duties required in the Fire Protection Service Contract. Passed.

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**

12. Motion to accept all reports. Passed.

Moved by: Mr. Barnett

Seconded by: Mr. Criss

Roll Call Vote:

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

**Adjournment**

Motion by Chairman, Mr. Showalter to adjourn regular meeting.

**Next Regular Meeting is 7:00 p.m. November 8, 2022.**