

JACKSON TOWNSHIP TRUSTEES

Held July 27, 2018

6:00 pm

Present – Trustee Frost, Trustee Hemphill, Trustee Jakubec, Fiscal Officer Patton, Fire Chief Graham, Police Chief Taillon, Zoning Inspector Locke and 14 guests.  
**RESOLUTION #18-058:** Mr. Jakubec moved and Mr. Frost seconded the motion to approve the minutes of the June 19, 2018 Regular Trustee Meeting. Vote was unanimous.  
**RESOLUTION #18-059:** Mr. Frost moved and Mr. Jakubec seconded the motion to approve the minutes of the June 26, 2018 Special Trustee Meeting. Vote was unanimous.  
**RESOLUTION #18-060:** Mr. Jakubec moved and Mr. Frost seconded the motion to approve the minutes of the July 17, 2018 Special Trustee Meeting. Vote was unanimous.  
**RESOLUTION #18-061:** Mr. Frost moved and Mr. Jakubec seconded the motion to approve the minutes of the July 19, 2018 Special Trustee Meeting. Vote was unanimous.  
Vouchers and warrants #27781 thru #27 and Vouchers #260-2018 thru #-2018 were approved for payment.  
**CORRESPONDENCE:**

OLD BUSINESS:

- Mr. Jakubec advised that we are working at getting bids to shingle the pavilions at Liberty Park. We will also be repairing the poles at the pavilions.

NEW BUSINESS:

**RESOLUTION #18-062:** Mr. Frost moved and Mr. Hemphill seconded the motion approving the following: Cash Summary by Fund, Appropriation Payment Register, Appropriation Register, Revenue Status, Fund Status and Bank Reconciliation for June 2018. Vote was unanimous.  
**RESOLUTION #18-063:** Mr. Frost moved and Mr. Jakubec seconded the motion for the following Then & Now POS: - OPWC No Interest Loans – Gault Road/Blott Road Sw Management Project - \$2908.26 & Blott Road Safety Upgrade – Phase II - \$1356.71 – Totaling-\$4264.97  
Vote was unanimous.  
**RESOLUTION #18-064:** Mr. Frost moved and Mr. Hemphill seconded the motion for the Waiver of Adoption of 2019 tax budget per section 5705.281 from the Mahoning County Budget Commission. Vote was unanimous.  
**RESOLUTION #18-065:** Mr. Jakubec moved and Mr. Frost seconded the motion for the Property Lease for Recycling Bins - \$4500.00 from terminating December 31, 2018. Vote was unanimous.  
**RESOLUTION #18-066:** Mr. Hemphill moved and Mr. Frost seconded the motion that the trustees are accepting the Certificate of Estimated Property Tax Revenue that was prepared by the County Auditor. The current tax valuation of the subdivision and the amount of revenue that would be produced by 1 and 5 tenths (1.5) mills of estimated property tax revenue that will be produced is \$138,602 The total tax valuation of Jackson Township is \$92,401,440. Vote was unanimous.

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO  
THE ELECTORS OF THE QUESTION OF LEVYING A TAX  
IN EXCESS OF THE TEN-MILL LIMITATION  
Resolution #18-067

The Board of Trustees of Jackson Township, Mahoning County, Ohio met in Regular Session on the 24th day of July, 2018, with the following members present:

Mr. Thomas Frost  
Mr. Alan Hemphill  
Mr. John Jakubec

Mr. Hemphill moved for the adoption of the following Resolution:  
**WHEREAS**, on the 24<sup>th</sup> day of July, 2018, this Board adopted a Resolution determining to submit to the electors of Jackson Township, the question of levying a tax in excess of the ten-mill limitation, as described below, a copy of which Resolution was certified to the County Auditor of Mahoning County; and  
**WHEREAS**, the County Auditor has certified to this Board that the total current tax valuation of Jackson Township is \$92,401,440 and the dollar amount of revenue that will be produced annually by the millage stated below would be \$138,602.  
**NOW, THEREFORE BE IT RESOLVED**, by the Jackson Township Board of Trustees of Mahoning County, Ohio, two thirds of all members elected thereto concurring, that:  
Section 1. This Board has determined that the amount of taxes that may be raised within the ten-mill limitation will be insufficient to provide for the necessary requirements of the subdivision and that it is necessary to levy a tax in excess of that limitation.  
Section 2. This Board will proceed with the submission of the question of the tax to electors of Jackson Township, Mahoning County, Ohio, pursuant to ORC 5705.19, (J) for the purpose of providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, for the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the provision of ambulance or emergency medical services operated by a police department, or for the payment of other related costs, at a rate not exceeding 1.50 mills for each one dollar of valuation, as estimated by the Mahoning County Auditor, which amounts to fifteen cents (\$0.15) for each hundred dollars of valuation for a continuing period of time commencing with the tax year 2018, first due in calendar year 2019; and, which levy is an additional levy.  
Section 3. The question of approving the levy shall be submitted to the electors of Jackson Township at the general election to be held on the 6th day of November, 2018, and that said levy be placed on the tax lists, if a majority of the electors voting thereon vote in favor thereof.  
Section 4. This Board shall certify this Resolution, a copy of the Mahoning County Auditor's Certification, and the Resolution of Necessity to the Mahoning County Auditor and to the Board of Elections of Mahoning County, Ohio, not less than ninety days before the election, in the manner prescribed by the section of the Revised Code governing submission of the question.  
Section 5. It is found and determined that all formal actions of this Board concerning and relating to the adopting of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public, in compliance with law.  
Mr. Frost seconded the Resolution and the roll being called upon its adoption, the vote resulted as follows: Mr. Frost, Aye;  
Mr. Hemphill, Aye; Mr. Jakubec, Aye

- Discussion for a Resolution Authorizing Natural Gas OPT-OUT Aggregation

**RESOLUTION #18-068:** Mr. Hemphill moved and Mr. Frost seconded the motion for:  
A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO  
EFFECT AN OPT-OUT NATURAL GAS AGGREGATION  
PROGRAM PURSUANT TO SECTION 4929.26, OHIO REVISED  
CODE, DIRECTING THE COUNTY BOARD OF ELECTIONS TO  
SUBMIT A BALLOT QUESTION TO THE ELECTORS

**WHEREAS**, under Section 2929.26, Ohio Revised Code, the Township of Jackson, Ohio (the "Township") is authorized to establish an opt-out natural gas aggregation program for the benefit of natural gas consumers located within the unincorporated areas of the Township;

**WHEREAS**, under Section 4929.26, Ohio Revised Code, the Township may exercise such authority individually or jointly with the other political subdivisions in the State of Ohio;

**WHEREAS**, governmental aggregation provides an opportunity for natural gas consumers collectively to participate in the potential benefits of natural gas deregulation through lower gas rates which they would not otherwise be able to have individually;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP OF JACKSON OHIO, THAT:**

Financial  
Reports- June  
018

Then & Now  
Pos

Waiver of 2019  
Tax Budget  
Recycling  
Contract for  
018  
Auditor  
Certificate for  
Police Levy

Resolution to  
Proceed with  
Police Levy to  
Electors of  
Jackson  
Township

Natural Gas  
Opt-Out  
Aggregation

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6:00pm

**SECTION 1:** This Board of Township Trustees finds and determines that it is in the best interest of the Township and certain natural gas consumers located within the unincorporated areas of the Township to establish an opt-out natural gas aggregation program (the “Gas Aggregation Program”). Provided that this Resolution and the Gas Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to aggregated, in accordance with Section 4929.26, Ohio Revised Code, the retail natural gas loads located within the unincorporated areas of the Township. For the Gas Aggregation Program, the Township may enter into service agreements to facilitate the sale and purchase of service for retail natural gas loads. The Township may exercise such authority individually or jointly with any other political subdivision of the State of Ohio, to the full extent permitted by law, and for such purpose, any Township officers are hereby authorized to execute a program agreement in order to establish the Gas Aggregation Program. The Gas Aggregation Program does not apply to persons meeting any of the following criteria, as more specifically described in Section 4929.26(A)(2): (i) the person is both a distribution service customer and a mercantile customer, (ii) the person has an existing commodity sales service contract with a retail natural gas supplier, (iii) the person has commodity sales service as part of a retail natural gas aggregation pursuant to rules and orders of the Public Utilities Commission of Ohio, or (iv) such other persons that are not eligible customers pursuant to rules and orders of the Public Utilities Commission of Ohio.

**SECTION 2:** The Board of Elections of Mahoning County is hereby directed to submit the following question to the electors of the Township at the general elections on November 6, 2018.

Shall the Township of Jackson have the authority to aggregate the retail natural gas loads located within the unincorporated areas of the Township and enter into service agreements for the sale and purchase of natural gas, such aggregation to occur automatically except where any person elects to opt out?

The Fiscal Officer of the Board of Township Trustees is instructed to file a certified copy of this Resolution and the proposed form of the ballot question with the Mahoning County Board of Elections not later than August 8, 2018, which is ninety (90) days prior to November 6, 2018. The Gas Aggregation Program shall not take effect unless approved by a majority of the electors voting upon the proposed ballot question at the election held pursuant to this Section 2 and Section 4929.26, Ohio Revised Code.

**SECTION 3:** Upon the approval of a majority of the electors voting at the general election provided for in Section 2 of this Resolution, this Board individually, shall develop a plan of operation and governance for the Gas Aggregation Program. Before adopting such plan, this Board shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time, and location of each hearing. No plan adopted by this Board shall aggregate any retail natural gas is to be so aggregated that the person will be enrolled automatically in the Gas Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions of enrollment. The stated procedure shall allow any person enrolled in the Gas Aggregation Program the opportunity to opt out of the program every two years, without paying a switching fee. Any such person that opts out of the Gas Aggregation Program pursuant to the stated procedure shall default to the natural gas company providing distribution service for the person’s retail natural gas load, until the person chooses an alternative supplier.

**SECTION 4:** This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

DATED ADOPTED: July 24, 2018

Alan Hemphill, President of the Board

Submitted to the Board of Trustees for his/her Approval on this 24th day of July, 2018.

Mr. Jakubec, Aye; Mr. Frost, Aye, Mr. Hemphill, Aye.

**RESOLUTION #18-069:** Mr. Frost moved and Mr. Jakubec seconded the motion for the purchase of the Police/Township Dell Server for JAG Grant - Ordered from Forentechs – Configuration and Installation \$25,292.21. Also have insurance claim pending for a power surge. Vote was unanimous.

**FIRE:**

- Fire reports for June 2018.

**RESOLUTION #18-070:** Mr. Frost moved and Mr. Hemphill seconded the motion to join the HGAC Buy Cooperative Purchasing for the Purchase of Pierce Saber Pumper. Vote was unanimous.

**RESOLUTION #18-071:** Mr. Jakubec moved and Mr. Frost seconded the motion to enter into a Purchase Agreement with Finley Fire Equipment for the purchase of a Pierce Saber Pumper for \$576,147. Payment terms because the township will be paying the full amount within 15 days of the Contract Signing, a Discount of \$22,275 shall be applied. Net due would be \$553,872. Vote was unanimous.

**RESOLUTION #18-072:** Mr. Frost moved and Mr. Jakubec seconded the motion to commit to Farmers National Bank for financing of Pierce Saber Pumper Fire Truck, for a tax exempt Bond rate of 2.46% for 5 years. Whenever we close the first payment will be due within one year after signing. Financing approx. \$553,872.00. Payment is Annual approx. \$76,263.00. Outside counsel will be preparing the documents for the bond issuance. Costs average \$2500.00 – PNC leasing rate (over 4.25%) was for 5 payments of \$82,053.02 (\$5790.02/difference) – Difference/Savings Total is \$26450.10. Vote was unanimous.

**ROAD/CEMETERY/PARK:**

- Mr. Plant gave the Vehicle and Sign Inspection Report for June 2018.
- The trustees are still looking into a designated area for the Columbarium’s in Jackson Cemetery.

**POLICE:**

- 134-Calls for Service, 36-Observed Calls,120-Traffic Stops, Resulting in 87 Warnings, 43 Citations, 5 Traffic Crashes, 9 DUS, 0 OVI Arrest and 3 Domestic Violence arrest.
- 415-Residential Security Checks, 3-Senior citizen welfare checks
- 17-Arrests, 5 Felony & 12 Misdemeanant by our Detective and Patrol Division’s
- Reserve Officers worked a total of 128 hours
- Officers traveled 9,601 miles patrolling the township. An average of 95 miles per shift.
- On Monday, June 18, 2018 Jackson-Milton schools had an active shooter scenario practice drill. Jackson Police and Fire Departments participated in that drill with the Milton PD and MCSO.
- On Monday, June 25, 2018 Western Reserve schools had an active shooter scenario practice drill. Jackson Police Departments participated in that drill with the MCSO.
- Lake Milton Police Department donated to Jackson PD an interior Whelen light bar from a Ford Police Interceptor cruiser.

**ZONING:**

- Applications for zoning permits-3— 1 permit for transient vendor, 1 permit for addition/alteration on non-conforming use (Denied), 1 permit for SFD w/attached garage
- 1 application for appeals/hearing
- Fees for applications--\$1,395.00
- Fees for variances--\$375.00
- Total fees: \$1,770
- Addition on Extrudex—Mahoning Ave., Engineers & Soil & Water have retention plans & calculations
- Possible small type restaurant will be locating in the Truck World Bldg., (Center Location)
- Property owner SW corner Salem Warren & Mahoning Ave., (Macovitz), hot water tanks and other miscellaneous materials have been removed
- Yuhas, 1450 N Salem Warren Rd., Prosecutors office has sent letter of violation, owner is to contact the office
- Kincade, 9135 New Rd.—No additional news
- 10331 New Rd., (Roudebush)

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6:00pm

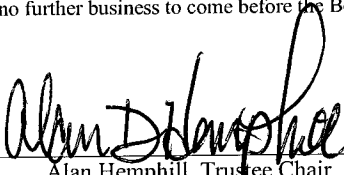
ZONING:

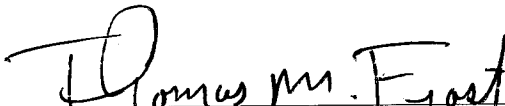
- 5 additional noxious weed letters have been mailed. Those properties that do not comply, are mowed by local mowing company
- Zoning appeals board has a meeting on 6/21 for variance (side yard) and loading docks on front of building has been approved for PUR Foods
- 10836 Silica Rd., has applied for hearing/variance
- Emailed info on water rights, drainage, and flooding,
- Emailed regulations on agriculture and agriculture buildings
- Delinquent taxes---one additional property has been added---9857 Silica Rd., 2 parcels
- Health Dept. Complaint---9162 Kirk Rd.and South Lipkey, (NE corner) has been rectified
- 4 calls fromappraisers/realtors/contractors/engineers
- 3 calls questions about accessory/agr bldgs.


PUBLIC COMMENT:

- Mr. Gary Hemphill advised that the Citizen's Association Garage Sale will be held August 3<sup>rd</sup> & 4<sup>th</sup> this year.

There being no further business to come before the Board, the meeting adjourned at 7:25pm.

  
Alan Hemphill, Trustee Chair

  
Thomas Frost, Trustee Co-Chair

  
John Jakubec, Trustee

  
Judy A. Patton, Fiscal Officer