

**1-13-04**  
**WORK SESSION**

**ATTENDANCE:**

Pamela Bossart, Louis Giavasis, Albert Leno, Claude W. Shriver, II, Mark Cozy, Eric Williams, Dennis Allman, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller.

The subject discussed was Capital Road Projects. Mr. Cozy said that we had received two items from our engineering company, ME Companies, which had to do with a traffic impact study for Easton and Schneider, a road that will be cut through for the new high school development. It will be an access road on the east end of the property. He said that they had indicated there is a sight problem on Schneider. Also, other issues concerned were that Schneider and Market could function when the development is completed, but Market and Easton would probably need some additional work. The letters are attached from both ME Companies and the County Engineer regarding this development.

Mr. Cozy said that he would have more road improvement information for the next meeting, essentially focusing on 20<sup>th</sup> and Lakeside. Discussion ensued by the Board as to how many accidents at 20<sup>th</sup> and Lakeside, the causes, etc. Mr. Sabo pointed out that many of the accidents are caused by people running the stop sign on 20<sup>th</sup> St.

**REGULAR MEETING**

**OPENING:** The regular meeting was called to order at 7:00 p.m. by President Bossart, who led the staff and audience in the pledge of allegiance.

**ATTENDANCE:**

Pamela Bossart, Louis Giavasis, Albert Leno, Claude W. Shriver, II, Mark Cozy, Eric Williams, Dennis Allman, Sam Tuttle, Michelle Mahoney, John Sabo, Mary Lee Sponseller.  
Media present: Natalie Lariccia, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

**AGENDA:** The agenda was presented. Administrator #3 was deleted.

**SWEARING-IN OF TRUSTEE:**

Mr. Leno presented his certificate of oath to Clerk Shriver for filing in the Clerk's office. He was sworn in on December 29, 2003 by Judge William B. Hoffman, Fifth District Court of Appeals.

**ELECTION OF OFFICERS:**

- #04-101 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to nominate and elect Louis Giavasis President of  
the Plain Township Board of Trustees.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**ELECTION OF OFFICERS:**

- #04-102 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to nominate and elect Albert Leno Vice President  
of the Plain Township Board of Trustees.  
Seconded by Mr. Giavasis.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**BEGINNING YEAR RESOLUTIONS:**

- #04-103 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to abide by Parliamentary Law and to conduct  
meetings according to Robert's Rules of Order.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- #04-104 Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio that the time and place of Board of Trustees meetings  
shall be on the second and fourth Tuesdays of each month in 2004 at  
7:00 p.m. in the Township Hall; and  
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees  
to hold a work session on the second Tuesday of each month at 6:20 p.m.  
in the Township Hall.  
Seconded by Mrs. Bossart.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- #04-105 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio that all full-time and part-time employees are  
retained until the first meeting in 2005, except as the Board may act as  
provided by law.  
Seconded by Mr. Giavasis.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-106 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to continue in effect all work rules and policies in  
effect on December 31, 2003, unless otherwise amended, altered or  
deleted during the year, during 2004 and up to and including the first  
Plain Township Board of Trustees meeting of 2005.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-107 Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio that the full-time Zoning Secretary be paid a  
minimum of two (2) hours at one and one half (1-1/2) her regular hourly  
rate for each Zoning Commission or Zoning Board of Appeals meeting  
attended.  
Seconded by Mrs. Bossart.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-108 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio that all volunteer fire department personnel at  
Stations 1, 2, 3, 4, and 5 are retained until the first meeting in 2005 and  
that their compensation shall be established and paid as follows:

**BEGINNING YEAR RESOLUTIONS:** (continued)

1. Provide to each volunteer member at every station a flat fee of \$25 per quarter not to exceed \$10,000 in 2004.
2. Provide additional compensation to individual fire fighters based on a points system to reflect participation in the activities and efforts of the Plain Township Fire Department.
3. Continue the accounting system to award points to volunteer fire fighters for participation in the Plain Township Fire Department.
4. Provide \$110,000 to fund the compensation program in 2004.
5. Compensation to the individual firefighters shall be made following the end of each quarter in accordance with the attached plan.
6. The Clerk will maintain the records of the end-of-quarter reports.
7. The Fire Department will continue to provide the attached schedule of points and an explanation of the compensation plan to all current and new fire fighters.

Seconded by Mr. Giavasis.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-109 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio that the Plain Township Fire Department will extend  
Mutual Aid to any other Fire Department or EMS service.  
Seconded by Mrs. Bossart.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-110

Motion by Mr. Giavasis,

WHEREAS, for the benefit of the residents of Plain Township, this board is desirous of promoting a better understanding and coordination of the various fire and law enforcement agencies within Stark County and the public in order to combat the crime of arson; and

WHEREAS, this board is also desirous of encouraging and developing the coordination of the team approach in the investigation of arson cases and in helping to establish criteria to promote efficient and effective prosecutions of the crime of arson; and

WHEREAS, it is necessary to coordinate a team of certain qualified personnel as designated by various police, fire and crime lab departments within Stark County to assist the Stark County Prosecutor's Office to accumulate and to coordinate all evidence necessary for presentation in criminal proceedings involving the crime of arson; and

WHEREAS, the Stark County Joint Arson Task Force is a county-wide task force created to support any fire department, law enforcement agency or prosecutor in the investigation of any accidental, suspicious or fatal fire; and

WHEREAS, this board is authorized to enter into a contract with the Stark County Joint Arson Task Force by virtue of Ohio Revised Code Section 167.01, et seq.

NOW, THEREFORE, BE IT RESOLVED that this board is hereby authorized to enter into a contract with the Stark County Joint Arson Task Force beginning January 7, 2004 and continuing until January 7, 2005.

Seconded by Mrs. Bossart.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-111

Motion by Mrs. Bossart,

WHEREAS, Plain Township desires to provide workers' compensation coverage to individuals who perform work for Plain Township yet are not employees of Plain Township; and

WHEREAS, the State of Ohio Bureau of Workers' Compensation offers contract coverage for individuals who perform work for a public entity yet do not receive compensation from the public entity; and

**BEGINNING YEAR RESOLUTIONS:** (continued)

WHEREAS, the cost of contract coverage is based on the total number of man-hours worked multiplied by the state workers' compensation rate multiplied by the Plain Township discount rate multiplied by the minimum wage established by law;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into a contract coverage agreement with the State of Ohio Bureau of Workers' Compensation for

calendar year 2004.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-112 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to continue all insurance benefits to all elected  
officials and full-time employees until the first meeting in 2005, unless  
such plans are amended in collective bargaining or as otherwise provided  
by law.

Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-113 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to appoint Pamela Bossart as representative to the  
Stark Council of Governments and to appoint Louis Giavasis as alternate  
representative for 2004.

Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-114 Motion by Mr. Leno,  
WHEREAS, the Plain Township Board of Trustees may expedite the  
receipt of revenue by submitting the Request for Advance of Taxes  
Collected form #A44-4;

WHEREAS, the Plain Township Board of Trustees authorized the  
submission of this form in 1995 (Resolution #95-20); and

WHEREAS, the timely receipt of revenue provides for the use of funds in  
advance of the usual disbursement by Stark County;

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to authorize the submission of a Request for Advance  
of Taxes Collected at this meeting and at the subsequent regular monthly  
meetings of the Plain Township Board of Trustees in 2004.

Seconded by Mrs. Bossart.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-115 Motion by Mrs. Bossart,  
WHEREAS, for the benefit of the residents of Plain Township, this board  
is desirous of promoting a better understanding and coordination of the  
various fire agencies within Stark County and the public in order to  
combat the release of hazardous chemicals; and

WHEREAS, this board is also desirous of encouraging and developing  
the coordination of the team approach in the response to hazardous  
chemical spills or releases and in helping to establish criteria to promote  
efficient and effective mitigation of these spills or releases; and

WHEREAS, it is necessary to coordinate a team of certain qualified  
personnel as designated by various fire departments and communities

within Stark County to assist in the identification, mitigation and cost recovery of these spills or releases; and  
WHEREAS, the Stark County Hazardous Materials Response Team is a county-wide task force created to support any fire department and/or community with these incidents;

**BEGINNING YEAR RESOLUTIONS:** (continued)

NOW, THEREFORE, BE IT RESOLVED that this board hereby authorizes the Fire Department to provide assistance to other political subdivisions within Stark County through participation in the Stark County Hazardous Materials Response Team (SCHMRT - HAZMAT) which is a voluntary organization of fire department personnel from various political subdivisions within Stark County established for the purpose of providing mutual assistance and advice concerning the treatment and containment of hazardous incidents and spills. The Fire Chief shall establish orders authorizing training, personnel deployment and procedures for the foregoing purpose.

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-116

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of coffee for Plain Township officers, employees and other persons present at Township buildings.

Seconded by Mr. Leno.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-117

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the paying of costs for refreshments provided to those attending Township Association, Zoning Inspectors, Fire Chiefs and other intergovernmental meetings which are hosted by Plain Township in the year 2004.

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-118

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio the following holidays will be provided to and observed by all full-time personnel:

Martin Luther King Day	Monday, January 19, 2004
Presidents' Day	Monday, February 16, 2004
Memorial Day	Monday, May 31, 2004
Independence Day	Monday, July 5, 2004
Labor Day	Monday, September 6, 2004

Columbus Day	Monday, October 11, 2004
Veterans Day	Thursday, November 11, 2004
Thanksgiving Day	Thursday, November 25, 2004
Christmas Day	Friday, December 24, 2004
New Year's Day	Friday, December 31, 2004

These holidays are established by State Law (511.10 ORC) and may be changed by the Ohio Legislature.

When said holiday falls on a Saturday or Sunday and is being observed on Friday or Monday, Firefighter/Paramedics and Radio Operators will receive overtime pay for work performed on the actual holiday, as opposed to the Monday or Friday date. The foregoing applies to New Year's Day, Independence Day, Veterans Day, Christmas Day.

Seconded by Mrs. Bossart.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**BEGINNING YEAR RESOLUTIONS:** (continued)

#04-119 Motion by Mrs. Bossart,  
WHEREAS, Plain Township Board of Trustees, Stark County, Ohio, will be considering a home rule resolution dealing with the holiday schedule observed by full-time Plain Township employees; and  
WHEREAS, ORC 504.10 permits the Board upon a majority vote of its members to authorize the adoption of a home rule resolution upon its first reading;  
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to dispense with the requirement of the home rule resolution being read on two separate days and pursuant to ORC 504.10 and upon a majority vote authorize the adoption if warranted of the resolution upon its first reading.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#04-120 Motion by Mr. Giavasis,  
WHEREAS, ORC 504.04(A) authorizes the Township to exercise powers of local self-government within the unincorporated area of the Township; and  
WHEREAS, on April 21, 1997, in Resolution #97-232, it was determined that it is in the best interest of Plain Township that the holiday schedule for full-time personnel should be modified; and  
WHEREAS, it has been determined that it continues to be in the best interest of Plain Township that the holiday schedule for full-time personnel established this year on January 13, 2004 should be modified;  
NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to amend and modify Resolution #97-232 to read as follows:  
BE IT RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, pursuant to Chapter 504 of the Ohio Revised Code, and within the authority of the limited self-government, that each Friday after Thanksgiving day be a holiday provided to and observed by all full-time Plain Township personnel **from this day forward;**  
BE IT FURTHER RESOLVED that this resolution be duly recorded and authenticated by the signature of the Township Clerk and the Plain Township Board of Trustees shall hereby advise the Clerk to publish same in a newspaper of general circulation within the Township according to the requirements of ORC 504.11 and 504.12.  
Seconded by Mrs. Bossart.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**SHERIFF'S REPORT:**

1. False Alarms - There was a complaint regarding false alarms from

Movies 4 that many times the Sheriff just comes and puts a sticker on the door. Sgt. Curry, who was present, said that if they let the headquarters know that there is a key holder responding, the Sheriff will wait a reasonable amount of time to check the interior of the building.

2. Response Times - The same complainant also mentioned response times, about kids acting up in the theater, that there are a lot of problems in that parking lot and kids are wise to the fact that when the Sheriff shows up, they start behaving right away.

**SHERIFF'S REPORT:** (continued)

3. Barking Dogs – a resident feels that there is a neighbor using our home rule resolution to harass him over his dog barking occasionally.

**7:30 P.M. PUBLIC HEARING – ZONING AMENDMENT 529**

Mrs. Mahoney once again introduced the amendment. Brian Carbinia, of 6657 Frank Rd. NW, was present representing the Dines. He presented what he understood the Board wanted. However, he did not prepare any documents presently. He wanted to see what the Board wanted particularly. Since the last meeting, the Board found that the entire property is on a 100-year flood plain, so there really aren't any setbacks to be developed, as there wouldn't be any place to set back to. Mr. Carbinia also asked the Board if it would be possible that they just change the existing structure to B-2, so that he would not have to be coming back to the Zoning Board of Appeals for various uses. Mrs. Bossart said that that would be a real concern of the Board. At least with new buildings, you have to abide by the present regulations. After a five-minute recess, Mr. Carbinia wished to thank the Board for their patience with the Dines and withdrew Amendment #529.

**CLERK'S REPORT:**

1. 1. Pending Warrants –

#04-121

Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of pending warrants in an amount of \$303,449.19 as attached hereto and made a part of these minutes.

Seconded by Mr. Leno.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

2. 2. Regular Payroll –

#04-122

Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of regular payroll in an amount not to exceed \$100,000.00.

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

3. 3. Payment of Medical Claims –

#04-123

Motion by

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment for the following medical claims as provided by AultCare:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
12/29/03	EFT 31387	\$ 6,657.84
01/06/04	EFT 40002	23,514.08
01/13/04	EFT 40055	8,683.78

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

4. The Financial Report was given and there were no questions.

**ADMINISTRATOR:**

1. The Computer Systems Manager Monthly Report was given. There were no questions.
2. Refund – False Alarm Payment –

#04-124

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the refund of \$25.00 to Fred Kloots, 3206 Enfield St. NW, Canton, OH 44708, for overpayment of false alarm charges.

Seconded by Mr. Leno.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

3. Hydrants – Lawr-Chester– removed from agenda.
4. Tax Incentive Review Council –

#04-125

Motion by Mr. Giavasis,

WHEREAS, Plain Township currently is a participant in an enterprise zone with other jurisdictions; and

WHEREAS, the Ohio Revised Code requires a tax incentive review council to organize and review existing tax incentive agreements and recommend changes to the Ohio Department of Development; and

WHEREAS, two members are required to be appointed from each township within the zone;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, that Pam Bossart and Lou Giavasis be appointed to represent Plain Township on the Tax Incentive Review Council; and

BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to appoint Al Leno and Mark Cozy as alternate members to the Tax Incentive Review Council.

Seconded by Mrs. Bossart.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**FIRE DEPARTMENT:**

1. The Monthly Report was given.
2. Attendance at Jackson Fire School –

#04-126

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize attendance to the Jackson Township Fire School on February 7 and 8, 2004, in an amount not to exceed \$1,600.00.

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**ROAD DEPARTMENT:**

1. The Monthly Report was given.

**ROAD DEPARTMENT: (continued)**

2. Scrap Metal –

#04-127

Motion by Mr. Leno,

WHEREAS, Ohio Revised Code Section 505.10 (A) provides that the Board of Township Trustees may sell property at private sale, if the Board determines that: 1) the property is no longer needed; and 2) the value of the property is less than \$2,500.00; and

WHEREAS, the Township has accumulated scrap metal which it no longer needs and which has a salvage value of less than \$2,500.00;

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that said scrap metal be sold.

Seconded by Mrs. Bossart.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

3. Stonehedge – Performance Bond Release Request – Mr. Giavasis looked at the pictures and said that there are many trees on this bank that are ready to fall into the right-of-way of the road, and it had never been graded properly. He said that the developer, McDonald, did not do what he said he would do. Mr. Giavasis also stated that he is tired of being held accountable as a township for improper development when the county won't take any responsibility for it, nor will the developer. He said this has to stop and things have to be set up from the beginning so that the township is not constantly expending money to repair the faults that could have been corrected from the beginning. The Board agreed. They are going to not accept the road presently and will do their homework and in two weeks Mr. Cozy and Mr. Williams will have an alternate plan of how this might be corrected.

4. Stop Signs – Summerchase & Abbotts Pond Circle NE –

#04-128

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, pursuant to the authority of the Ohio Revised Code Section 4511.10, that a traffic control device in the form of a stop sign be placed at the following intersections based upon the recommendation of the Road Superintendent in Wellington Woods (Phase 5):

1. Summerchase Rd. NE at Applegrove Rd NE – southeast corner

2. Abbotts Pond Circle NE at Summerchase Rd. NE – southeast corner

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

5. Stop Signs – Brookpoint –

#04-129

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, pursuant to the authority of the Ohio Revised Code Section 4511.10, that a traffic control device in the form of a stop sign be placed at the following intersections based upon the recommendation of the Road Superintendent in the Frazer Court Allotment:

1. Brookpoint at Briarwood – northbound and southbound
2. Brookpoint at Frazer Ave. – northwest corner

Seconded by Mrs. Bossart.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

## **ZONING DEPARTMENT:**

1. The Monthly Report was given. Mrs. Mahoney did point out that they were a little down this year but look forward to a better building season next year, especially with Saratoga Hills being developed.

## **PARKS & RECREATION:**

1. The Monthly Report – Mr. Tuttle pointed out that to date there are 133 reservations for the Community Room at the Recreation Center.
2. Outdoor Concessions –

#04-130

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into an agreement with Bill Kessler, owner of the Chuck Wagon, to provide concessions at the Diamond Community Park, a copy of which agreement is attached hereto and made a part of the record.

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

## **PLANNING:**

1. The Monthly Report was given; there were no questions.

## **COMMUNICATIONS:**

1. Ohio EPA – regarding a meeting on January 14.
2. Stark County Engineer – stating that the Columbus/Harmont intersection did not qualify this year for Ohio Public Works funds.
3. Anthony Confalone – regarding drainage problems.
4. Stark County Engineer – regarding a meeting with Township Road Superintendents on February 20 and Township Clerks and Trustees on February 21.
5. The Plain Initiative – regarding their meetings on building our community through communication. He is asking for representation from the Board and called Mr. Leno and also asked very definitely if there would be representation at all four meetings. The Board will decide who will be attending which meetings.

**APPROVAL OF MINUTES:**

#04-131

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to waive the reading of the minutes of the regular meeting held December 23, 2003 and make them a part of the record as if read in their totality; and

BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the minutes of the regular meeting held December 23, 2003 as presented.

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**EXECUTIVE SESSION:**

- #04-132 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn to executive session at 8:38 p.m. from  
this regular meeting of January 13, 2004 as authorized under Ohio  
Revised Code 121.22(G) for the purpose of the consideration of:  
compensation of a public employee or official; preparing for,  
conducting or reviewing negotiations or bargaining sessions with public  
employees.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- #04-133 Motion by Mr. Giavasis to return to regular session at 9:17 p.m.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**ANNOUNCEMENTS:**

- #04-134 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio, to promote Jason Pappas from Operator III to  
Operator II at a new pay rate of \$16.25 per hour, effective January 2,  
2004, per the Utility Workers Union of America, AFL-CIO, 561  
Contract.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

**ADJOURNMENT:**

- #04-135 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn at 9:18 p.m.  
Seconded by Mr. Giavasis.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

\_\_\_\_\_  
Pamela S. Bossart  
Trustee

\_\_\_\_\_  
Louis P. Giavasis  
Trustee

\_\_\_\_\_  
Albert P. Leno, II  
Trustee

ATTEST: \_\_\_\_\_  
Claude W. Shriver, II  
Clerk