

2600 Easton St. NE
Canton, OH 44721

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August 24, 04

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

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Randy Traub, Joe Iacino, 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. There were two additions: Communications #4 – Nimishillen Creek Cleanup; and under Concerns of Trustees Mrs. Bossart added Stark County Township Association Update.

SHERIFF'S REPORT:

C. J. Stantz and Lt. Shankle were present. There was a complaint about speeding on Alberta north of Dapplegray, mainly during the late afternoon hours between 4:00 and 7:00 p.m.

UNFINISHED BUSINESS:

1. School Resource Officer - Mr. Cozy went over a plan whereby we could replace our five 1996 cruisers on a lease-to-own basis, spending \$39,000 per year, which is basically the cost of one cruiser. This would also enable us to have the funds to help share the expense of a school resource officer in the Plain Local Schools. Mrs. Bossart asked if we were manipulating the funds so that we could have the money available for this process. Mr. Cozy indicated this was one way we could help the schools have their school resource officer. Jackie DeGarmo, Superintendent of Schools, was present to voice her and her administrative staff team's opinion of how important the resource officer was to the school and families in the community in the sense of presence that the police officer gives the students within the schools. Mrs. Bossart asked, why do you have to have a deputy? Mrs. DeGarmo said because the deputy carries with it all the connection to the courts, the arrest ability, and everything that comes along with the law enforcement image. Mrs. Bossart also asked how we are to explain as a Board to our constituents that we are paying a person from the Plain Township funds to be in the City of Canton. Mrs. DeGarmo stated that two-thirds of the kids at the high school, which is located in Canton, are Plain Township residents, so no matter how anyone looks at it, it is still being done for the kids who are Plain Township residents whose parents are supportive of Plain Township. Mr. Giavasis said that he was in support of paying half of the resource officer for the schools, as did Mr. Leno. A resolution was drafted by Law Director Randy Traub.

#04-498

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Plain Township Administrator to enter into a contract with the Stark County Sheriff's Office to provide a School Resource Officer to the Plain Local School for the 2004/2005 school year until June 2005 in an amount not to exceed \$40,659.97;
BE IT FURTHER RESOLVED that the Plain Local School District shall reimburse Plain Township in an amount equal to one-half of the contract amount (\$20,329.99). The Plain Local School District shall tender such reimbursement to Plain Township within thirty (30) days of receiving the invoice for the utilization of the School Resource Officer.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, no; Mr. Leno, yes; Mr. Giavasis, yes.

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UNFINISHED BUSINESS: (continued)

Mr. Jim Aquilo also spoke and said that there has been a major decline in events such as assault and drugs. They have had the highest graduation record. There are less smoking citations and attendance has risen within the schools. He credits this to the use of a resource officer within the schools.

Ashley Voneman, of 1717 31st St. NW, said that she was going to the high school. She spoke in favor of the resource officer within the schools.

John Halkias, member of the School Board, of 1561 Woodingham, also spoke in favor of the school resource officer and about the importance of preventing problems before they occur. Many times deputies within the community go to an incident after it has already occurred. The school resource officer, in many situations, is a preventive measure with the children.

2. Police Cruisers - see Unfinished Business #1.

NEW BUSINESS:

1. Stark County District Library – Mr. Ken Oliver, the Director, was present, and introduced John Halkias, a member of the Plain School Board of Education, to speak on the levy issue, which will be on this November, in the amount of 1 mill. He said that there will be a library located in the new high school on Schneider Street, but without this levy passing, it will not happen. He was asking the Board for an endorsement of the levy. Jackie DeGarmo also wanted to point out that 8,000 square feet of the building had been given to the library, so it is a true partnership for the future of Plain Township and its community. Mr. Halkias went over various geographical locations of libraries within the county, and said that we do need one in Plain Township, and one that is more convenient for the students and the community and the adults to utilize.

Mark Tenenbaum, of 5336 Wood Trail NE, also spoke in favor of the library levy and the library being located in the school.

Mahmood Sorma, of 7465 Ashburton Cir., also spoke in favor. He said that his child goes to the high school and presently when he has to go to the library, he has to transport him to the North Canton Library, and that this would be more convenient for the students who need to utilize the library after school. They could remain at school and not have to be transported across the township into another subdivision to use the library.

Fran Wells, of 5105 Woodfern NE, also spoke in favor of the library and in favor of the Board showing support in endorsing the levy.

2. Plain Township Signs – Mr. Cozy instructed the Board that several signs had been placed within the Township and he would like their comments as to how they liked them, how they liked the color in particular, and they are also going to work on a list of areas where the signs should be placed for Mr. Iacino.

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NEW BUSINESS: (continued)

#04-499 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of four Plain Township signs from The Plastic Lumber Co. for an amount not to exceed \$2,988.00, to be paid from Fund # 01-A-26E.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Fall Leaf Program – Mr. Cozy said that he had been in touch with Earth N Wood. They would be working with the Stark Solid Waste District. The Board decided we would probably still have drop-offs at Stations 3 and 4 and we will contact Warstler Brothers also to help out at their unassisted site on 38th Street.

4. 26TH & Harmon Storm Sewer –

#04-500 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to enter into the attached agreement with the City of Canton for the 26th Street & Harmon Storm Sewer Project.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

5. Zimber Ditch Annexation – for informational purposes, Mr. Cozy explained that the Zimber Ditch within North Canton has a railroad system alongside of it, and some of the crossings over the ditch will need repaired. Mr. Miller and North Canton have decided that they are not permitted to spend money to do this, so Mr. Mike Miller has decided to annex the area into North Canton so that they can spend the dollars on the crossings. Mr. Giavasis said that the Board is not in favor of any annexation unless it is beneficial to the residents. They will keep a close watch on this particular annexation attempt.

A resolution was then brought back to the table with regard to New Business #1 – Stark County District Library, a resolution showing the Board’s support for the levy.

#04-501 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to urge its residents to support the Stark County District Library’s 1 mill operating levy of five (5) year duration which will appear on the November 2004 ballot.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

CLERK’S REPORT:

1. Pending Warrants –

#04-502 Motion by Mrs. Bossart,
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 \$404,437.49 as attached hereto and made a part of these minutes.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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CLERK’S REPORT: (continued)

2. Regular Payroll –

#04-503 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to authorize payment of the regular payroll in an
amount not to exceed \$110,000.00.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Payment of Medical Claims –

#04-504 Motion by Mr. Leno,
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>
08/17/04	EFT 48852	\$6,864.91
08/24/04	EFT 48907	9,660.84

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

4. The Investment Report was given. Mr. Shriver indicated that Sky Bank had a new money market available that was five basis points over Star Ohio, and that he and Mrs. Reikowski had moved two million dollars to the said account. He also said that interest rates are creeping very slowly, and that one million dollars was invested at 2.34% that came due on August 9, and it was placed in a Sky Bank CD at 2.34%. Mr. Giavasis told Mr. Shriver that he had been doing a very good job with the investments.

5. EMS Overpayments –

#04-505 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize a refund as follows for overpayments for
Emergency Medical Services as requested by Ohio Billing, Inc.:

<u>PAYABLE TO</u>	<u>AMOUNT</u>
American Family (for Kaylee M. Craig)	\$500.00
Ohio Dept. of Job & Family Services (for Thomas Zadra)	3.90

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

6. F & E Check Signer Machine –

#04-506 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the purchase off one MICR Enable Check
Signer from F & E Check Protector Company in an amount not to exceed
\$3,000 to be taken from 01-A-05C for use in the Clerk’s office.
Seconded by Mr. Giavasis.
Discussion: Mr. Shriver explained to the Board that we presently are using
a pin feed check writing machine, which is rather antiquated, and that we
need to do this to get in times with the changes within the state accounting
system and also we will be doing laser checks, which will save the Township
money over the long run.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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CLERK’S REPORT: (continued)

7. Additional Lights – Wellington Woods #5 –

#04-507

Motion by Mr. Leno,
WHEREAS, the Plain Township Board of Trustees created the Wellington Woods and Wellington Hills Lighting District on February 3, 1992 (Resolution #92-78); and
WHEREAS, a request has been received to add additional lights in Wellington Woods #5;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to approve the additional three metered street lights to be located as follows:
Wellington Woods #5 Meter Addresses:
1914 Applegrove NE
2022 Summerchase NE
2102 Summerchase NE
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees to authorize the Plain Township Clerk to certify this cost as a special assessment to the property owners to the Stark County Auditor and to inform American Electric Power Company to install the additional lights.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

8. Transfer of Funds –

#04-508

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the following transfer of funds:

FROM	TO	AMOUNT
01-A-04B – Supplies (Clerk)	01-A-05C – Equipment – Clerk	\$1,600.00
04-A-04 – Tools & Equipment	04-A-03 – Workers’ Compensation	2,300.00
28-A-05 – Tools & Equipment	28-A-08A – Contracts – EMS Collections	1,000.00

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

9. Amended Certificate –

#04-509

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the Plain Township Clerk to request an Additional Amended Certificate of Estimated Resources from the Stark County Auditor for additional revenue of \$143,564.33 received as follows:

Fund	Amount
01 – General Fund (from sale of property & Natureworks Grant)	\$143,564.33

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

ADMINISTRATOR:

1. Extended Warranty on Cisco Routers and Switches –

#04-510

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of extended warranty contracts for Cisco routers and switches from Himebaugh Consulting Inc. in the amount of \$1,859.97, to be paid from the following funds: \$669.75 from 10-A-10; \$223.25 from 03-A-06; \$223.25 from 14-A-06; and \$743.72 from 01-A-26E.

Seconded by Mrs. Bossart.

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

2. Renew Contract – Frank Gates Co. – Workers’ Compensation –

#04-511

Motion by Mr. Leno,
WHEREAS, Plain Township has been a member of the Workers’ Compensation Rating Program administered through the Frank Gates Service Company; and
WHEREAS, the Frank Gates Service Company is sponsored by the Ohio Township Association; and
WHEREAS, the projections of the Frank Gates Service Company will provide a net savings of \$71,779.00

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into a contract with the Frank Gates Service Company to provide the services as detailed in the service contract which is attached hereto and made a part of these minutes and to approve payment of the administrative fee at a cost not to exceed \$11,725.00.

Seconded by Mr. Giavasis.

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

3. 33rd Street Drainage – Mr. Iacino said that this is a backyard problem, but the County, especially Mr. Jeff Dutton, has asked if we will fix it. It will take 20 yards of topsoil, some pipe and a catch basin. Mr. Iacino was not certain how much it would cost. He said most of it would be in labor, but he felt a crew of three or so could do this in one day. There was discussion by the Board as to why the repair on private property. Mr. Cozy stated that he talked to one engineer that said that this problem may have existed prior to the storm project in the first place, but it is too hard to tell that. Mr. Iacino is going to call Jeff Dutton at the County and try to get things underway to get this problem completed.

FIRE DEPARTMENT:

1. Concrete Leveling #4 & Training Building –

#04-512

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the leveling of the walkways at Station #4 and the training building by Tri-County Concrete Leveling in the amount of \$1,100 taken from Account #10-A-15.

Seconded by Mrs. Bossart.

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

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FIRE DEPARTMENT: (continued)

2. HOF Standby Pay –

#04-513

Motion by Mr. Giavasis,
WHEREAS, Resolution #99-434 authorizes the Plain Township Fire Chief to institute a \$6.00 per hour volunteer firefighter special duty pay for any special duties he deems necessary; and
WHEREAS, the Pro Football Hall of Fame Festival events attract large crowds during specific hours on specific dates;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment for Hall of Fame special duty standby to the following people:

	Total Hours	Amount
John Forberg	16	\$96
Jason Myers	14	84
Dan Rhodes	16	96
Tim Rice	7	42
Justin Rotunno	29	174
Todd Shaffer	7	42
Sean Venosdale	41	246
Scott Wagner	37	222

Seconded by Mr. Leno.

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

3. Purchase of Fire Department Pumper Parts –

#04-514

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of gauges, knobs, air cylinders and packing for pumper repair from Finley Fire Equipment in an amount not to exceed \$2,000 taken from Account #10-A-09D.

Seconded by Mrs. Bossart.

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

4. Harmont Nuisance Abatement – the property on Harmont for the nuisance abatement has met all criteria to be torn down; however, the owner is still incarcerated and he has personal belongings within the home. They thought that they had a working relationship with this person’s son but that has expired and things are not working out. Chief Sabo is asking the Law Director for an opinion, as they have never run into this, and obviously, they don’t want to tear the building down because it is full of personal belongings, including an automobile. The Law Director said that he will investigate this and get an answer back in the next day or two.

5. Purchase of Fuel –

#04-515

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of gasoline, oil and diesel fuel at a cost not to exceed \$6,000.00.

Seconded by Mrs. Bossart.

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

ROAD DEPARTMENT:

- 1. a. Purchase of F-150 Truck –

#04-516

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the purchase of a 2004 Ford F150 pickup
truck from Park Ford in an amount not to exceed \$15,700.00, to be paid
from Fund #11-A-04.

Seconded by Mrs. Bossart.

Discussion: Mr. Leno wanted to be sure that Mr. Iacino did not want a
four-wheel drive vehicle. Mr. Iacino said it would not be necessary because
all of the snow plowing is done in the larger trucks. The only time the
pickup trucks would be used would be for repair of mailboxes and would be
out on the roads after the snow has been cleared. There have been no
problems in the past, and he also said by not being four-wheel drive there
would be a maintenance cost savings to the Township Road Department.

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

- b. Purchase of F-150 Truck –

#04-517

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the purchase of a 2004 Ford F150 pickup
truck from Park Ford in an amount not to exceed \$15,700.00, to be paid
from Fund #11-A-04.

Seconded by Mr. Leno.

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

- 2. Paving Pictures – Mr. Iacino wanted to note to the Board what a
great job Central Allied is doing paving the roads. They are
exceptionally pleased this year, and he wanted to make it a point to
have that in the minutes of this meeting.

- 3. Hiring Contractor for Pipe Repair on Scenic View –

#04-518

Motion by Mr. Leno,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to authorize the hiring of Bitzel Excavating to repair
collapsed storm sewer pipe on Scenicview in the Laurel Ridge Allotment
and also to purchase the materials for such repair not to exceed \$8,000.00
from the following funds:

Fund #

11-B-3	Contractor	\$2,340.00
11-B-2A	Pipe 60"	\$3,700.00 from Hancor
11-B-2E	Backfill	\$600.00 from Oster
11-B-2C	Asphalt	\$200.00 from Central Allied

Seconded by Mr. Giavasis.

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

ZONING DEPARTMENT:

- 1. Payment & Certification of Nuisance Abatements -

- a. 2525 Martha NE –

#04-519

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has
given notice to the owner of property located at 2525 Martha Avenue NE

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ZONING DEPARTMENT: (continued)

(Parcel #52-15942) to abate the nuisance on this property (Resolution #04-464) on July 27, 2004; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$338.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$183.32;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$531.32 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis.

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

b. 2944 Maple NE –

#04-520

Motion by Mr. Giavasis,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2944 Maple Avenue NE (Parcel #52-03034) to abate the nuisance on this property (Resolution #04-465) on July 27, 2004; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$362.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$182.40;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$544.40 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

c. 3433 Kalurah NE –

#04-521

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3433 Kalurah Avenue NE (Parcel #52-18964) to abate the nuisance on this property (Resolution #04-466) on July 27, 2004; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$390.00; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$166.56;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Clerk to forward to the Stark County Auditor the Report To County Auditor of Township Action Regarding Abatement of a Nuisance certifying the total cost of \$556.56 to be placed on the property owner's tax duplicate.

Seconded by Mr. Leno.

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

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ZONING DEPARTMENT: (continued)

2. Nuisance Abatements –

a. 2031 39th St. NW –

#04-522

Motion by Mr. Leno,
WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and
WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2031 39th St. NW, Stark County, Ohio (Parcel #52-06100); and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 10, 2004 and returned “Unclaimed”; and
WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

1. High grass and/or weeds constitute a nuisance under Ohio Revised Code Section 505.87 and
2. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
3. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mrs. Bossart.

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

b. 4005 Regent View –

#04-523

Motion by Mrs. Bossart,
WHEREAS, a public hearing was held on August 24, 2004 by the Board of Trustees regarding the property conditions at 4005 Regent View Ave. NE Stark County, Ohio (Parcel #52-04780);
WHEREAS, Leslie & Sharon Cosner Jr., has failed to demonstrate satisfactory progress in correcting the violations at the above property; and
WHEREAS, the Plain Township Board of Trustees has provided the owner(s) of the property with notice and opportunity to be heard on this matter;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

1. High grass and/or weeds, trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87 and
2. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
3. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.

Seconded by Mr. Giavasis.

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

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ZONING DEPARTMENT: (continued)

c. 2530 43rd St. NW –

#04-524 Motion by Mr. Giavasis,
 WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and
 WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2530 43rd St. NW, Stark County, Ohio (Parcel #52-15810); and
 WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 18, 2004 and returned “Unable to Forward”; and
 WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;
 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

1. High grass and/or weeds constitute a nuisance under Ohio Revised Code Section 505.87 and
2. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
3. Instruct and authorize the Plain Township Clerk to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

COMMUNICATIONS:

1. Stark County Commissioners – request to change the name of a street by a Mr. Apostolides.
2. Aultcare – notifying us that they have been recognized by J. D. Power and Associates for providing excellent health care.
3. Stark County Commissioners – regarding the Lexington Farms Drainage Project.
4. Nimishillen Creek Clean-up – a schedule.

CONCERNS OF TRUSTEES:

Mrs. Bossart wanted to bring to the Board’s attention that the meeting of the Stark County Township Association held at the Township Hall last week with speaker Jane Vignos had to do with the gas aggregate program which will be on the ballot in November. She said that the average savings is \$126 in gas costs, and she suggested that we put something in the newsletter so that our residents are aware of this. The Board agreed.

APPROVAL OF MINUTES:

#04-525 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 August 10, 2004 and make them a part of the record as if read in their totality; and

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APPROVAL OF MINUTES: (continued)

BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the minutes of the regular meeting held August 10, 2004 as presented.

Seconded by Mr. Giavasis.

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

EXECUTIVE SESSION:

#04-526

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 9:16 p.m. from this regular meeting of August 24, 2004 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: preparing for, conducting or reviewing negotiations or bargaining sessions with public employees.

Seconded by Mrs. Bossart.

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

#04-527

Motion by Mr. Giavasis to return to regular session at 10:03 p.m.

Seconded by Mrs. Bossart.

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

ADJOURNMENT:

#04-528

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 10:04 p.m.

Seconded by Mr. Giavasis.

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

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Clerk