

2600 Easton St. NE
Canton, OH 44721

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November 9, 05

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Eric Williams, Joe Iacino, Sam Tuttle, Steve Peroz, John Sabo, Mary Lee Sponseller.

President Giavasis convened the work session at 6:20 p.m. Barbara Donohue from Aultcare and Greg Becker from Sky Insurance Group were present. These individuals went over in detail the changes that the Board will be reviewing to the medical program with the township planned for change on January 1, 2006. They went over all details of the plan with regard to the co-pays and prescription drugs. There were several people present from the bargaining units within the township and fire department. The Board has decided to give them until the next meeting to come back with any questions they may have. They can call Mrs. Reikowski, and if she cannot answer the questions, she will get the answer from Barbara Donohue at Aultcare.

REGULAR MEETING

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, Eric Williams, Joe Iacino, Sam Tuttle, Steve Peroz, John Sabo, Mary Lee Sponseller.

Media present: Joan Porter, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

AGENDA: The agenda was presented. Zoning #2a was deleted from the agenda.

SHERIFF'S REPORT:

The Quarterly Report was given by Lt. Shankle. He said that call activity was increased by 2 percent. The incident reports remained consistent with last quarter. Citations were up 12 percent, accidents were down 12 percent. Alarm drops were up 4 percent. Vehicle maintenance was also covered. He also covered the fact that Detective Ryan Hostetler had made 32 arrests this past quarter within the Township. He said that they are getting a favorable response regarding the resource officer in the schools, and also that the K-9 Unit, our new deputy, Ollie, is doing very well in training and should be out of training by January 6 and will specialize in tracking and bomb detection.

Speeding on Cranwood was discussed.

UNFINISHED BUSINESS:

1. Middlebranch Post Office – Mr. Cozy said that he had contacted the post office and the inspectors said that particular building in Middlebranch is not available for 24 hours for open service because it would not be safe. This man's mail will not go to the Spangler Post Office because his property is determined to be part of the Middlebranch district, so there is nothing we can do at this particular time to help this individual.

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7:15 P.M. PUBLIC HEARING – ZONING AMENDMENT #540:

The hearing was held off due to a clerical error. The proper notice was not given. It was added to the agenda as Zoning #4.

UNFINISHED BUSINESS: (continued)

- 2. Health Insurance – held over until the November 22 meeting.
- 3. Cell Phone Policy – Mr. Williams went over the cell phone policy it was requested that we have through the State Auditor’s Office.

#05-546 Motion by Mr. Giavasis,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adopt the attached Cellular Telephone and Pager Policy, effective November 9, 2005.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 4. Set Meeting Date – Proposed Zoning Revisions – Mary Lee Sponseller wanted to set a meeting for December 13 to initiate the zoning amendment. She also said that she would work with Eric to draft the notice for the paper and hopefully we would have this ready to adopt the revisions at the February 14 meeting.
- 5. Schneider Widening – Mr. Cozy said that he and Joe Iacino met with the engineers. We are nearing the bidding stage for the Schneider Widening by the new high school. They had a site review. It should be out to bid this winter. Mr. Iacino said construction should begin in spring.

NEW BUSINESS:

- 1. False Alarms – September & October -

#05-547 Motion by Mr. Leno,
 WHEREAS, the Plain Township Board of Trustees has authorized a charge of twenty-five dollars (\$25.00) for each false alarm from an automatic security alarm system in excess of three (3) false alarms within a calendar year pursuant to its authority under Ohio Revised Code Section 505.511 (Resolutions #95-96); and
 WHEREAS, the Plain Township Board of Trustees has been duly notified by the Stark County Sheriff, under contract to Plain Township, that an excess of three (3) responses to such alarms have been made at the following businesses and/or residences:

NAME	ADDRESS	#
Key Bank	3010 Whipple Ave. NW	6th
Schumacher Homes	2715 Wise Ave. NW	21st, 22nd, 23rd, 24th, 25th
Holy Trinity Lutheran Church	2551 55th St. NE	4th
Fast Times Deli	5501 Market Ave. N.	4th, 5th, 6th and 7th
Edgewood Golf Course	6900 Market Ave. N	4th and 5th
Fisher Foods	4403 Cleveland Ave. NW	9th, 10th, 11th, 12th, 13th
Schumacher Homes	2481 Wise Ave. NW	8th, 9th, and 10th
Time Warner Cable	5520 Whipple Ave. NW	6th, 7th, and 8th
Kraus's Pizza	6545 Middlebranch Ave. NE	4th
Marathon Station	7960 Cleveland Ave. NW	16th
DioGuardi Italian Food	3116 Market Ave. N.	4th
Preferred Auto	1212 30th St. NE	4th

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NEW BUSINESS: (continued)

Bell Store	3985 Everhard Rd. NW	4th
Rt. 62 Corporation	2920 Harrisburg Rd. NE	5th and 6th
Rod Napier Investment	3939 Everhard Rd. NW	5th
Quick Stop	4235 Middlebranch Ave. NE	7th
Big Sur Waterbeds	4424 Whipple Ave. NW	4th and 5th
Thomas Horner	4015 Plain Center Ave. NE	4th
David Lockshin	3621 Croydon Dr. NW	4th
Kevin White	3515 Blackburn Rd. NW	4th
Marie McKelvy	5412 Moss Wood Cir. NE	7th
Amanda Carpinelli	4961 Middlebranch Ave. NE	4th

NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to direct the Plain Township Clerk to send a Notice of Bill for Excess False Alarms to the locations identified above; and

In the event that any bill noted above is not paid within thirty (30) days of the date of such notice;

BE IT FURTHER RESOLVED to direct the Plain Township Clerk to send a notice by certified mail to the manager and the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent or tenant and to the owner, if different, of the real estate of which the residence is a part, stating that failure to pay the bill within 30 days, or to show just cause why the bill should not be paid, will result in the assessment of a \$25.00 lien upon the real estate.

BE IT FURTHER RESOLVED that if payment is not made within 30 days, or just cause shown, then the Clerk shall cause the sum of \$25.00 for each false alarm in excess of three (3) per year to be entered upon the tax duplicates of each location as a lien upon said real estate from the date of entry, which shall be collected as other taxes and returned to the Township general fund.

Seconded by Mrs. Bossart.

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

2. Moore Annexation Area – a notice from the City of Canton about the Moore Annexation Area, which entails five duplexes in this area. Mr. Leno wanted to make sure that we talked to the owners to see why they want to annex and that they understand what changes will take place.

3 Warstler Yard Waste Recycling – will be closed on Monday, November 14 for paving. Mr. Iacino said that everything is in order to have someone there to stand by to send people to another waste recycling area.

CLERK’S REPORT:

1. Pending Warrants –

#05-548

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 \$152,434.20 as attached hereto and made a part of these minutes.

Seconded by Mr. Leno.

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

CLERK’S REPORT: (continued)

2. Regular Payroll –

#05-549 Motion by Mrs. Bossart,
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 \$125,000.00.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Payment of Medical Claims –

#05-550 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>
11/02/05	EFT 51325	\$ 7,342.65
11/09/05	EFT 51383	11,381.00

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

4. The Financial report was given and accepted by the Board.

5. Longevity Payments –

a. Firefighter/Paramedics –

#05-551 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the benefits of longevity pay to
members of the Plain Township Firefighters Association who meet the
requirements of the attached schedule.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

b. Non- Contractual Employees –

#05-552 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the benefits of longevity pay to all
non-bargaining unit employees who meet the requirements of the
attached schedule.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

6. Transfer of Funds –

#05-553 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:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
01-M-04 – Other Expenses	01-M-03H – Contracts – 25 th St. Storm Sewer	\$ 7,325.00
01-M-04 – Other Expenses	01-M-03R – Contracts – 30 th St. Storm Sewer	18,000.00
04-B-02 - Materials	04-A-05 – Supplies	2,000.00
04-B-02 - Materials	04-A-05A – Supplies – Filters, Part	1,500.00

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CLERK’S REPORT: (continued)

04-B-02 - Materials	04-A-05B – Supplies – Hydraulic	1,000.00
04-B-02 - Materials	04-A-05E – Supplies – Snow Equip.	1,500.00
04-B-02 - Materials	04-A-05F – Vehicle Part	1,000.00
10-A-08 – Tools & Equipment	10-A-09F – Supplies – Fuel & Oil	7,000.00
27-A-09 – Other Expenses - Medical Claims	27-A-08 - Contracts	1,000.00

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

7. Amended Certificate –

#05-554

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 \$1,039,948.20 received as follows:

Fund	Amount
01 – General Fund	\$868,431.29
04- Road & Bridge Fund	61,694.41
09 – Police District	24,662.27
10 – Fire District	53,728.02
11 – Road District	5,085.29
13 – Zoning Fund	4,297.18
17A – (Expendable Trust) - Deposits	22,050.00

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

8. Ohio Division of Liquor Control – Notturmo’s – the Board has directed that it be sent on. There is no reason to hold it over, it is just a stock transfer.

9. EMS Refund –

#05-555

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.:

PAYABLE TO	AMOUNT
Sean Terrigan	\$132.30

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

ADMINISTRATOR:

1. The Computer Systems Manager Monthly Report was given.

FIRE DEPARTMENT:

1. The Monthly Report was given; there were no questions.
2. ISO Grading – Chief Sabo went over the Insurance Services Office grading system, and said that he had drafted a letter requesting that the rate improvement statements be sent to him so that they can strategically plan for the future levy that will be on in 2006. That letter will be sent to ISO from the President of the Board.

FIRE DEPARTMENT: (continued)

3. Purchase of Fuel –

#05-556

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 \$7,000.00, to be taken from Account #10-A-09F.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

4. EMS Billing – Chief Sabo went over the fact that it has been seven
years since we started charging for EMS, though we do not charge
our residents and he does not believe that we should charge the
residents of Plain Township. He indicated that 33 percent of the
transportations are for non-residents, and that we have not raised
our fees for the past seven years. They are determining that they
might go with three fee levels: Transportation, Advanced Life
Support Tier 1, and Advanced Life Support Tier 2. They will be
looking at this and will get more back to the Board. Also, the loaded
mileage will go from \$7.00 to \$10.00. They are looking at the first
of the year for the new fee schedule. They will keep the Board
abreast as to the changes.

5. Firehouse Software Maintenance Agreement –

#05-557

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to renew the annual Firehouse Software maintenance
agreement in the amount of \$1,910.00, to be paid from Account #10-A-08.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ROAD DEPARTMENT:

1. The Monthly Report was given.

2. Bond Release – Certificate –

#05-558

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to authorize release of the bond being held for Centerline
Striping in the amount of \$1,388.00 for the completion of the 2005
Pavement Marking Program.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Purchase of Tires –

#05-559

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to authorize payment to North Central Tire in an amount not
to exceed \$3,031.54 from Fund #4-A-5D for miscellaneous tires.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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ROAD DEPARTMENT: (continued)

4. Purchase of Oil –

#05-560 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to authorize payment to McIntosh Oil Company in an
amount not to exceed \$1,303.50 from Fund #3-A-5A for the purchase of
motor oil and hydraulics oil.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

5. Purchase of Plow Blades –

#05-561 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to authorize payment to Gledhill Road Machinery in an
amount not to exceed \$2,394.20 from Fund #4-A-5E for the purchase of
plow blades.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

6. Purchase of Filters and Wiper Blades –

#05-562 Motion by Mr. Leno,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to authorize payment to Carquest Auto Parts in an amount
not to exceed \$1,487.24 from Fund #4-A-5A for the purchase of filters
and wiper blades.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ZONING DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Nuisance Abatement –
 - a. 3312 Forestview – removed from agenda.
 - b. 1860 Whipple Ave. NW –

#05-563 Motion by Mr. Giavasis,
WHEREAS, a public hearing was held on November 9, 2005 by the
Board of Trustees regarding the Junk Motor Vehicle at 1860 Whipple
Avenue NW, Stark County, Ohio (Parcel # 52-16706) and
WHEREAS, Paul Schwitzgebel, has failed to demonstrate satisfactory
progress in correcting the violations at the above property; and
WHEREAS, the Plain Township Board of Trustees have 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. A Junk Motor Vehicle constitutes a nuisance under Ohio Revised
Code Section 505.173 and
2. The nuisance shall be abated or removed according to the procedures
outlined in ORC Section 505.173, and
3. Notice of this decision will be provided to the property owners.
Seconded by Mrs. Bossart,
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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ZONING DEPARTMENT: (continued)

- 3. Certification & Payment of Nuisance Abatement – 5001 Orchardale Dr. NW –

#05-564

Motion by Mr. Leno,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 5001 Orchardale Drive NW (Parcel number #52-07440) to abate the nuisance on this property (Resolution #05-515) on October 11, 2005; and
 WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$ 200.00; and
 WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$177.11;
 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 \$377.11 to be placed on the property owner's tax duplicate.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

- 4. Set Zoning Amendment #540 –

#05-565

Motion by Mr. Giavasis,
 WHEREAS, the Plain Township Zoning Commission conducted a public hearing on Zoning Amendment #540 on October 12, 2005; and
 WHEREAS, the Plain Township Zoning Commission is recommending DENIAL of the proposed amendment; and
 WHEREAS, the Plain Township Zoning Commission is submitting such recommendation along with application, text, and map pertaining thereto to the Plain Township Board of Trustees within the required thirty days following it's public hearing; now
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for Zoning Amendment #540 on November 22, 2005 at 7:30 PM at the Plain Township Hall and to further instruct and authorize the Plain Township Clerk to prepare and publish notice of the public hearing in the Repository on Saturday, November 12, 2005.
 Seconded by Mrs. Bossart.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

PARKS & RECREATION:

- 1. The Monthly Report was given; there were no questions.
- 2. Refund of Soccer Team Fees –

#05-566

Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to refund overpaid soccer fees in the amount of \$63.00 to Joe Schaefer, 3607 Angora Circle NW, North Canton, OH 44720.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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PARKS & RECREATION: (continued)

3. Ohio Turfgrass Conference –

#05-567

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Administrator and up to three Parks Department employees to attend the Ohio Turfgrass Conference in Columbus December 6 - 8, 2005; and to authorize payment of registration fee, lodging, reimbursement for food, mileage and parking for those attending in an amount not to exceed \$1,500.00, to be paid from Fund #01-A-03.

Seconded by Mrs. Bossart.

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

PLANNING:

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

COMMUNICATIONS:

1. Stark County Commissioners – regarding the release of a maintenance bond on Stonehedge as well as Angel's Pond.
2. Stark County Engineer – asking that we consider going along with the County bidding process for asphalt within the County.
3. Stark Parks – containing a schedule of public meetings asking questions such as how to improve the system and where to put more trails.

APPROVAL OF MINUTES:

#05-568

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 October 25, 2005 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 October 25, 2005 as presented.

Seconded by Mr. Giavasis.

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

EXECUTIVE SESSION:

#05-569

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:10 p.m. from this regular meeting of November 9, 2005 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: appointment of a public employee or official; a conference with the law director or other retained counsel concerning pending or imminent court action; preparing for, conducting or reviewing negotiations or bargaining sessions with public employees; matters required to be kept confidential by federal law, federal regulation, or state statute.

Seconded by Mr. Leno.

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

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RETURN TO REGULAR SESSION:

#05-570 Motion by Mr. Giavasis to return to regular session at 9:10 p.m.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ADJOURNMENT:

#05-571 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:10 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