

2600 Easton St. NE
Canton, OH 44721

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December 13, 2005

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Mark Cozy, Eric Williams, Dennis Allman, Steve Peroz, John Sabo, Mary Lee Sponseller.

Media present: Cal Peters, WHBC, Natalie Lariccia, the Repository; Betty O'Neill-Roderick, Akron Beacon Journal.

President Giavasis convened the work session at 6:20 p.m.

Mary Lee Sponseller went over the accessory use amendment to the Zoning Resolution Amendment of 541, she stated that the Secretary was off due to illness and that it was in the final stages of proofing. Mary Lee also stated that if the board would approve this the first meeting of January, the meeting could be held in March to adopt and make it in affect in April of 2006. The Board had several questions that Mary Lee Sponseller answered and this was also going to be a hearing this evening at 8:00pm regarding Amendment 541.

EXECUTIVE SESSION:

#05-599 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:32 p.m. from this regular meeting of December 13, 2005 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: appointment of a public employee or official; employment of a public employee or official; 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.

#05-600 Motion by Mr. Giavasis
to return to regular session at 6:59 p.m.
Seconded by Mrs. Bossart
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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, Dennis Allman, , Steve Peroz, John Sabo, Mary Lee Sponseller.

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

AGENDA: Added Parks and Recreation hiring of part-time employee by Administrator Mark Cozy. Sheriff's Report - 20th Street Speeding Trustee Albert Leno II, and Concerns of Trustees – conflict of interest by Trustee Pamela Bossart.

SHERIFF'S REPORT:

- 1. Snow Patrol Call-in Protocol.

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Snow Patrol Protocol was put in affect that is working out very well. There was a problem early this season where the sheriff did not call in and the Road Department was called in later than they would have liked to. Everything is working smooth now.

2. Chestnut Hill & Peachmont Vandalism

Chestnut and Peachmont Vandalism – Sheriff indicated that a young juvenile, 16 years old, was caught doing vandalism with his vehicle, running through yards, etc.

3. Speed 20th Street

Trustee Leno had a complaint about speeding on 20th and the Sheriff said that it will be looked into.

UNFINISHED BUSINESS:

1. Ohio Division of Liquor Control – Pileggi’s

Ohio Division of Liquor Control in regard to Pileggi’s liquor License will be forwarded to the state with no hearing requested.

2. Carmen Drive Pipe

Carmen Drive Pipe at the Sanctuary Golf Course has collapsed and the owner wants to know if the township wants to get involved to help repair it. Mr. Iacino received estimated on the cost of the pipe alone is \$6,800. This is road water that the pipe carries, however, it is located on private property and the Board will take this into consideration.

3. 2006 Asphalt Paving Program

Asphalt Share Paving Program with regard to the county, Mr. Iacino said that he would rather not participate this year. He is buying the asphalt at a lesser amount than the county is paying. Plus the fact that he has more control over his schedule of taking care of our roads within the township. The county sometimes does a road later, or not in a timely fashion according to our protocol.

NEW BUSINESS:

1. Ohio Township Association Winter Conference

#05-601

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Trustees, Clerk, and Departments Heads to attend the Ohio Township Association Winter Conference in Columbus February 1-4, 2006; and to authorize payment of \$40 pre-registration fee, lodging, reimbursement for food, mileage and parking for those attending.

Seconded by Mr. Giavasis

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

2. Grocery Bag Recycling

Grocery Bag Recycling – Mr. Cozy stated that there is a college student doing a grocery bag recycling survey that has to do with our joint solid waste district. Mr. Cozy wanted to be sure that he had permission before he allowed the student to have a link added to our website to track various information

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7:30 P.M. PUBLIC HEARING – ZONING AMENDMENT 540

#05-614 Motion by Mrs. Bossart

WHEREAS, a public hearing was held on November 9, 2005 and continued to November 22, 2005 and then continued to December 13, 2005 by the Plain Township Board of Trustees to consider Amendment #540 to the Plain Township Zoning Resolution; and

WHEREAS, such hearing was properly and timely held pursuant to Ohio Revised Code 519.12; and

WHEREAS, the Plain Township Board of Trustees has duly considered the nature of the amendment and the reasons therefore, the recommendation of the Plain Township Zoning Commission, the Stark County Regional Planning Commission, and the information provided by any and all other interested persons,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to:

_____ adopt the recommendation of the Plain Township Zoning Commission for DENIAL.

_____ deny the recommendation of the Plain Township Zoning Commission.

 x modify the recommendation of the Plain Township Zoning Commission.

modification to be: R1A

Seconded by Mr. Leno

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, no.

7:30 P.M. PUBLIC HEARING – ZONING AMENDMENT 541

After detailed discussion regarding Zoning Amendment 541, Mrs. Bossart asked that the Board hold it over to the December 27th, 2005 meeting at 7:30pm.

CLERK’S REPORT:

1. Pending Warrants –

#05-602

Motion by Mr. Leno

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 \$223,155.08 as attached hereto and made a part of these minutes.

Seconded by Mr. Giavasis

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

2. a. Regular Payroll –

#05-603

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. Giavasis

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

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b. Volunteer Payroll -

#05-604

Motion by Mr. Leno
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to authorize payment of the volunteer payroll for
the 4th Quarter 2005 in an amount not to exceed \$30,000.
Seconded by Mr. Giavasis
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

3. Payment of Medical Claims –

#05-605

Motion by Mr. Giavasis
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>
11/29/05	EFT 51456	\$26,767.80
12/06/05	EFT 51460	11,099.04
12/13/05	EFT 51515	10,286.82

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

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

5. Firefighters Sick Pay Bonus

#05-606

Motion by Mr. Giavasis
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to approve sick pay bonus as stated in the
negotiated contract for the members of the Plain Township Firefighters
Association as follows:

<u>NAME</u>	<u>AMOUNT</u>
Stephen Ash	\$ 150.00
Matt Decosta	500.00
Jeremy Guenther	0.00
Eric Haines	0.00
Craig Hamilton	0.00
Ben Hershberger, Jr.	150.00
Howard Hershberger	500.00
Jack Jackson	0.00
Scott Jackson	0.00
Robert Johnson	0.00
John F. Klingaman	0.00
Jason Kuhn	0.00
Michael Lowmiller	0.00
Brandon Mackall	0.00
Bill Meers	0.00
Robert Morton	500.00
Jeff Pierpont	500.00
Robert Ramey	0.00
William Reed Jr.	250.00
Charles Shalenberger	500.00
Robert Skolmutch	0.00
Troy Slabaugh	500.00
Kevin Vandergrift	0.00
Christopher Villard	0.00
Douglas Woodyard	500.00
Gregg Wright	<u>0.00</u>

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Total \$ 4050.00

Seconded by Mr. Leno

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

6. Set Record's Commission Meeting – December 27 – 6:50 pm

7. Financial Software Agreement

#05-607

Motion by Mr. Leno

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into a Financial Management System Usage Agreement with Software Systems Inc. of 5475 Route 8, Gisonia, PA to provide computer hardware, software and training for an accounting system to be used by the Plain Township Clerk's Office as attached.

Seconded by Mrs. Bossart

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

8. EMS Refunds

#05-608

Motion by Mr. Leno

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>
AultCare (for Emily Grubbs)	\$ 188.85
AultCare (for Debra S. Drake)	528.00
Clora K. Justice	91.53
AultCare (for Nicholas Marchand)	336.61
OHCP-PCM (for Kylie S. Hanley)	394.40
O.D.H.S. (for Marybelle Sautters)	83.83
Miranda J. Alexander	279.00

Seconded by Mr. Leno

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

ADMINISTRATOR:

1. The Computer Systems Manager Monthly Report was given; there were no questions.
2. The Building & Grounds Maintenance Coordinator Monthly report was given; there were no questions.

FIRE DEPARTMENT:

1. The Monthly Report was given; there were no questions.
2. Purchase of Miscellaneous Equipment

#05-609

Motion by Mrs. Bossart

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase and installation of

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miscellaneous equipment for the three new ambulances from Pfund Superior Sales Co. Inc. in an amount not to exceed \$2,860.25, to be taken from Account #10-A-08.

Seconded by Mr. Leno

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

3. Ohio Billing Renewal Agreement

#05-610

Motion by Mr. Leno

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the entering into the Ohio Billing, Inc. renewal processing service agreement. The agreement raises the equitable fee per run from \$12.50 to \$15.00 effective January 1, 2006.

Seconded by Mrs. Bossart

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

ROAD DEPARTMENT:

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

2. Annual Highway System Mileage Certification

#05-611

Motion by Mrs. Bossart

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to certify to the Ohio Department of Transportation that the total mileage for 2005 is 168.15 miles.

Seconded by Mr. Giavasis

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

3. Purchase of Fuel

#05-612

Motion by Mr. Giavasis

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 from Fund 3-A-5A.

Seconded by Mr. Leno

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

4. Release Retainage – 29th Street Sidewalks

#05-613

Motion by Mr. Leno

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, authorization to release the retainage being held for Dickerson Construction, Inc. in the amount of \$2,000.00 for the completion of the 29th Street NE sidewalk & curb project.

Seconded by Mrs. Bossart

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

5. Plain Local Schools

The Plain Local Schools are asking that we still salt and plow their lots. It was pointed out by the Board that we need to let Mr. Knis know that we do not plow their lots, but we will continue to salt their lots and charge them accordingly for the salt.

ZONING DEPARTMENT:

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

#05-615

2. Nuisance Abatement – 6855 Amsel Ave NE

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#05-616 3. Appoint Board of Zoning Appeals Member

Mr. Leno stated that Mr. Timothy Reichel personally visits all of the zoning concerns at the he has been an excellent member to the Board of Zoning Appeals.

#05-617 4. Appoint Zoning Commission Member

PARKS & RECREATION:

- 1. The Monthly Report was given; there were no questions.
- 2. Hire Part Time Employee

#05-618 Motion by Mr. Giavasis
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #05-594 to read as follows:
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Carmen Linn as a part-time recreation supervisor at the Diamond Street Recreation Center at a rate of \$7.00 per hour with no benefits, effective December 14, 2005.

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

PLANNING:

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

COMMUNICATIONS:

- 1. Buckeye Energy Brokers

Regarding the lock-in of energy costs for fuel, as far as natural gas.

- 2. Stark County Recorder

Rick Campbell discussed the various deadlines regarding our zoning amendments and resolutions.

- 3. Stark County Sheriff

Chief Sabo went over the distribution of radios that will take place on December 15, 2005. Two different letters were discussed. One went to the Trustees and one to the Fire Chief stating that it talked in the letter about an authority to sign and receive the radios and that we need more information in regards to maintenance of the radios. The Board agreed that we should get a copy of the agreement and have our Law Director look it over. Mrs. Bossart said that she has a suspicion that the maintenance of these radios, which has not been taken care of through the Stark County Association yet, and feels that this may be a way that this may be an indication that each subdivision may take care of the maintenance of the radios they would receive. Chief Sabo said we will be receiving approximately 25 radios. The radios are very sophisticated. Each radio is worth between \$2,500 - \$4,500 dollars per unit. The Board is requesting more information before we take the radios into our custody.

CONCERNS OF CITIZENS:

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Mr. Tom Crowther, 707o Pinetree, said that he has two semi-tractor trailer cab vehicles parked outside his home. He said that Jackson township has a rule not allowing this, and that it is not fair that this past Sunday they had another guest there with a 3rd semi-tractor trailer parked there.

Kim Harris, 7050 Pinetree, that one of her neighbors had a realtor turn her down about listing her home because of the situation with the semis and that she felt that it was a safety situation. Mr. Leno cautioned that if we make some type of rule not allowing this that what would we do with other business trucks, such as bread trucks. Mr. Cruther said they moved out here to be in a suburban area, and if they wanted this they would live in the city. It is just patently unfair that the neighbors have to put up with this. Sometimes these trucks are left running, and when the semi left they even blew their horn. The Board is going to get information from Jackson Township and have our Law Director review it so that we can give these citizens some assistance in having a peaceful neighborhood.

CONCERNS OF TRUSTEES:

1. Conflict of Interest

Mrs. Bossart said that as of the current audit, there was a question about the conflict of interest since her husband worked in the road department and that she submitted necessary documents to the auditors. The auditors found there is not to be an issue of a conflict of interest in the most recent audit.

APPROVAL OF MINUTES:

#05-619 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 November 22, 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 November 22, 2005 as presented.
Seconded by Mr. Giavasis
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

#05-620 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:55p.m. from this regular meeting of December 13, 2005 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: employment of a public employee; or official promotion or demotion of a public employee or official.
Seconded by Mr. Giavasis
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#05-621 Motion by Mr. Giavasis to return to regular session at 9:55p.m.
Seconded by Mrs. Bossart
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

#05-618 Motion by Mr. Giavasis

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BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #05-594 to read as follows:
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Carmen Linn as a part-time recreation supervisor at the Diamond Street Recreation Center at a rate of \$7.00 per hour with no benefits, effective December 14, 2005.

Seconded by Mr. Leno

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

ADJOURNMENT:

#05-622

Motion by Mrs. Bossart

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 9:56p.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