

2600 Easton St. NE
Canton, OH 44721

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January 24, 06

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Claude W. Shriver, II, Eric Williams, Joe Iacino, Sam Tuttle, Steve Peroz, John Sabo. Also present were approximately 28 full-time and volunteer members of the Plain Township Fire Department.

President Bossart convened the work session at 6:00 p.m. Chief Sabo conducted the meeting for approximately 40 minutes in a "State of the Fire Department" address. His topic included the upcoming levy that will be placed on the ballot in May and the need for extra funds. He covered issues such as the Township versus municipalities and the legal ways that they can have funds available and what their funds could be spent on. There was a question and answer period, and overall, Chief Sabo answered all questions to the point that everyone seemed satisfied with the outcome. He also emphasized the point that they would not be changing the way they do things now; they would just be improving upon it. A very important point he made is that we do not currently charge residents for EMS service. We can continue not to charge should our levy pass. We would have approximately a 0.9 mill increase in the levy, which would generate \$4.5 million. He also emphasized the fact that surrounding townships that are larger and a few that are smaller than us, our township being the fifth largest in the State of Ohio, are all experiencing the same difficulties with regard to the operation of their fire districts.

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, II, Claude W. Shriver, II, Eric Williams, Joe Iacino, Sam Tuttle, Steve Peroz, John Sabo, Mary Lee Sponseller.

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

AGENDA: Approved as prepared.

SHERIFF'S REPORT:

Bellview Street – there is a sign that says No Thru Traffic. There are complaints from residents that that is not working. There is a lot of heavy traffic going through there, and they are also speeding.

Brookdale Break-ins – one individual has had his car broken into four times.

Present were Dawn Riggins, of 2419 Winton Place; Teresa Maupin, of 2418 Winton Place; and Trish Schrader, of 2411 Winton Place. They were all there to complain about a resident living nearby who had been an alcoholic, and also the fact that there is heavy in and out traffic of this resident's home 24-7. They feel that there is drug-related activity and also that there is prostitution taking place in the vicinity of this residence. The Sheriff's deputy and our detective will look into this. As soon as this evening, they were going to pay this resident a visit.

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SHERIFF'S REPORT: (continued)

Doug Gerber, of 3925 Martindale Rd. NE, was concerned that the auto accidents at Martindale and Plain Center Rd. were too numerous since he has lived there. He wanted to know what could be done. Mr. Iacino said that he had talked to the Stark County Traffic Engineer and that he was going to go out and look at the area.

Mr. Shriver was asked about a lighting district and he stated that if some of the residents in the area wanted it illuminated, they could petition for a street light to illuminate the area and that he needed to contact the Fiscal Officer's office and Jo Ellen Reikowski would help him get those papers together.

UNFINISHED BUSINESS:

- 1. Accept Resignation of Administrator –

#06-043

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to accept the resignation of Mark A. Cozy, effective January 10, 2006; and
BE IT FURTHER RESOLVED to approve a severance package based on his current base pay with checks being issued on regular payroll dates and to continue health benefits through January 30, 2006.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

- 2. Fire Levy Resolution – RESOLUTION DECLARING IT NECESSARY TO SUBMIT THE QUESTION OF REPLACING AND INCREASING THE RATE OF A TAX LEVY FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS OR SITES THEREFOR, OR SOURCES OF WATER SUPPLY AND MATERIALS THEREFOR, OR THE ESTABLISHMENT AND MAINTENANCE OF LINES OF FIRE ALARM TELEGRAPH, OR THE PAYMENT OF PERMANENT, PART-TIME, OR VOLUNTEER FIREMEN OR FIREFIGHTING COMPANIES TO OPERATE THE SAME, INCLUDING THE PAYMENT OF THE FIREMEN EMPLOYER'S CONTRIBUTION REQUIRED UNDER SECTION 742.34 OF THE REVISED CODE, OR TO PURCHASE AMBULANCE EQUIPMENT, OR TO PROVIDE AMBULANCE OR EMERGENCY MEDICAL SERVICES OPERATED BY A FIRE DEPARTMENT OR FIREFIGHTING COMPANY FOR THE PLAIN TOWNSHIP DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO, PURSUANT TO SECTION 5705.191 AND 5705.192 OF THE REVISED CODE

#06-044

Motion by Mrs. Bossart,
WHEREAS, upon due investigation and consideration, the Plain Township Board of Trustees, Stark County, Ohio has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for the Plain Township Fire District, Plain Township, Stark County, Ohio, for the next five (5) years will be insufficient to provide an adequate amount for the necessary requirements for said Plain Township Fire District for the purpose of providing and maintaining fire apparatus, appliances, buildings or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time or volunteer firemen or firefighting companies to operate the same, including the payment of the firemen employer's contribution required under Section 742.34 of the Revised Code, or to purchase ambulance equipment, or to

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UNFINISHED BUSINESS: (continued)

provide ambulance or emergency medical services operated by a fire department or firefighting company for the Plain Township Fire District, Plain Township, Stark County, Ohio, and that the question of replacing and increasing the rate of such tax should be submitted to the electors in said Plain Township Fire District; in accordance with Sections 5705.191 and 5705.192 of the Revised Code; and

WHEREAS, pursuant to Section 5705.191 and 5705.192 of the Revised Code, the Board has determined that there should be submitted to the electors of the District at the general election to be held May 2, 2006, the question of replacing a tax of five and nine-tenth (5.9) mills and increasing the tax by .8 mills to constitute a tax of 6.7 mills outside the ten mill limitation, which amounts to sixty-seven cents (.67¢) for each one hundred dollars (\$100) of valuation, for a period of five (5) years, tax years 2006, 2007, 2008, 2009 and 2010 for the purpose of providing and maintaining fire apparatus, appliances, buildings, or sites therefore sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time or volunteer firemen or firefighting companies to operate the same, including the payment of the firemen employer's contribution required under Section 742.34 of the Revised Code, or to purchase ambulance equipment, or to provide ambulance or emergency medical services operated by a fire department or firefighting company for the Plain Township Fire District, Plain Township, Stark County, Ohio. NOW THEREFORE, BE IT RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that a copy of this resolution shall be certified to the County Auditor of the County of Stark, and this Board hereby requests that the County Auditor certify: (a) the total current tax valuation of the Fire District and (b) the dollar amount of revenue that would be generated by the rate of 6.7 mills for each \$1.00 of tax valuation;

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

This resolution shall be in full force and effect from and immediately upon its adoption.

Seconded by Mr. Leno.

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

NEW BUSINESS:

- 1. K9 Costs –

#06-045

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to the Stark County Sheriff's Department for K9 costs for the year 2006 in the amount of \$6,081.01; to be paid from Fund #09-A-10K.

Seconded by Mrs. Bossart.

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

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NEW BUSINESS:

2. Advertise for Administrator –

#06-046 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to advertise for the position of Administrator in the
Akron Beacon Journal and the Canton Repository on January 15 and
January 22, at a total cost of \$1,177.40.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

3. Storm Water Seminar – to be held on Wednesday, January 25.

4. SCRPC Dues –

#06-047 Motion by Mr. Giavasis,
WHEREAS, on December 7, 1999 (Resolution #99-666) the Plain
Township Board of Trustees resolved that it is in the Township's best
interest to join the Stark County Regional Planning Commission;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township
Board of Trustees, Stark County, Ohio, to authorize the payment of
\$3,000.00 in membership dues to the Stark County Regional Planning
Commission for the year 2006.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

5. False Alarms –

#06-048 Motion by Mrs. Bossart,
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	#
K Mart	3801 Harmont Ave. NE	5th
Carlisle Engineering	3131 Columbus Rd. NE	5th and 6th
Rent A Center	2122 Columbus Rd. NE	10th
Advanced Auto Parts	2314 Columbus Rd. NE	4th
Marathon Station	7960 Cleveland Ave. NW	17th
Citgo	6356 Market Ave. N.	4th
Aultworks Occupation	3730 Whipple Ave. NW	8th
Sunrise Café	3020 Harrisburg Rd. NE	4th
Stephanie Parsons	3218 Woodridge Ave. NW	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;

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NEW BUSINESS: (continued)

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 Mr. Leno.

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

FISCAL OFFICER’S REPORT:

1. Pending Warrants –

#06-049

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 \$69,812.47 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

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

2. Regular Payroll –

#06-050

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 \$125,000.00.

Seconded by Mr. Leno.

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

3. Payment of Medical Claims –

#06-051

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>
01/17/2006	EFT 60121	\$ 7,806.08
01/24/2006	EFT 60122	12,155.31

Seconded by Mrs. Bossart.

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

4. The Investment report was given and accepted by the Board. Mr. Shriver noted that we had \$143,000 of interest income from the investment of our interim funds for the year. Also, there was a maturing investment on February 6 that Mrs. Reikowski has advised him may be put into the checking account for operation funds.

FISCAL OFFICER’S REPORT: (continued)

5. Permanent Appropriations –

#06-052 Motion by Mr. Leno.
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that to provide for the current expenses and other expenditures of said Board of Trustees, during the fiscal year, ending December 31, 2006, the attached sums be and the same are hereby set aside and appropriated for the several purposes for which expenditures are to be made for and during said fiscal year as attached to and made a part of these minutes.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-053 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to refund \$75.00 to Key Bank, 3010 Whipple Ave. NW, Canton OH 44718 for overpayment of false alarms. Bills were sent due to an error on the Sheriff’s Department’s false alarm report.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADMINISTRATOR:

1. Tax Incentive Review Council –

#06-054 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 Pamela Bossart and Albert Leno 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 Louis Giavasis and Joseph Iacino 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. Attendance at Fire Department Instructors Seminar –

#06-055 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the attendance for up to four people to the Fire Department Instructors’ Conference in Indianapolis, Indiana on April 24 – 29, 2006. This is to include registration, lodging, meals, mileage, etc. in accordance with current township policy not to exceed \$3,800.00.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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FIRE DEPARTMENT: (continued)

- 2. Katrina Response Reimbursement - Chief Sabo included in his report the reimbursement for him attending and the response at the Katrina disaster in New Orleans.
- 3. AccuGlobe E911 Maintenance Fee –

#06-056 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to Digital Data Technologies, Inc. for the AccuGlobe E9-1-1 2006 Annual Maintenance Fee for one seat and one server in the amount of \$1,190.00, to be taken from Fund #10-A-15.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

- 4. Purchase of Fuel –

#06-057 Motion by Mrs. Bossart,
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 \$10,000.00, to be taken from Account #10-A-09F.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ROAD DEPARTMENT:

- 1. Attendance at Inspector Seminar –

#06-058 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to authorize Sean Moriarty to attend the Improving Public Works Construction Inspection Skills course on March 6 – 7, 2006 and the Maintaining Asphalt Pavements course on March 8 – 9, 2006, in Allentown, Pennsylvania in an amount not to exceed \$2,500 to cover conference, hotel, gas, turnpike and meals from Fund 4-A-13.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

- 2. Purchase of Vehicle –

#06-059 Motion by Mr. Leno,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, to authorize the purchase of a 2006 Ford Ranger SuperCab from George Waikem Auto Group, through the Government Concession Program in accordance with our specifications not to exceed \$12,319.60 from Fund 3-A-4.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, abstain; Mrs. Bossart, yes.

- 3. Purchase of Fuel –

#06-060 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 \$10,000.00 from Fund 3-A-5A.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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ZONING DEPARTMENT:

- 1. Governmental Law Seminar -

#06-061

Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize any Zoning Department Staff, Administrator, Clerk, Law Director, Planning & Economic Development Coordinator, members of the Board of Trustees, members of the Plain Township Board of Zoning Appeals, and members of the Plain Township Zoning Commission to attend the Stark County Governmental Law Seminar on Saturday, February 25, 2006 at the Holiday Inn – Belden Village and to further authorize payment of \$23.00 per person to the RPC Seminar and Meeting Fund in an amount not to exceed \$500.00.
 Seconded by Mr. Leno.
 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

COMMUNICATIONS:

- 1. Stark County Engineer – regarding the Annual Meeting.
- 2. Plain Local Citizens for Quality Education – announcing their kickoff meeting for their levy.
- 3. Anonymous Property Owner – asking why the Township doesn’t try to change itself into a city.

APPROVAL OF MINUTES:

#06-062

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 27, 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 December 27, 2005 as presented.
 Seconded by Mr. Giavasis.
 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-063

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 January 10, 2006 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 January 10, 2006 as presented.
 Seconded by Mr. Leno.
 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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EXECUTIVE SESSION:

#06-064 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn to executive session at 7:47 p.m. from this
regular meeting of January 24, 2006 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;
compensation 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.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-065 Motion by Mrs. Bossart to return to regular session at 9:11 p.m.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADJOURNMENT:

#06-066 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:12 p.m.
Seconded by Mrs. Bossart.
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
Fiscal Officer