

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, Lisa Sabina, Joe Iacino, Steve Peroz, John Sabo, Todd Alexander.

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

AGENDA: Approved as prepared.

SHERIFF'S REPORT:

1. Sheriff's Quarterly Report- Sgt. Shankle was present to give the quarterly report. He said that the burglar alarms were down; incidents were up about 155 calls. He said this is probably due to the time of season with longer days and kids out of school. Vehicle maintenance is at 15 cents per mile.
2. Vandalism of Lights on Mount Pleasant Road was discussed. They were evidently shot out with a BB or pellet gun and damaged.
3. Parking Violation on Clearview- One of the band members that participated in the parade received a parking violation. The parents stated that he parked there and received a parking violation ticket, but the signs were at the other end of the street. Sgt. Shankle stated that they had 6 to 7 hours to move the vehicle. Mrs. Sabina will call this individual back and explain this to him.
4. Solicitors at 1240 Whitestone Circle NE- Mrs. Sabina said there was a complaint and also indicated there would be more information coming up under the Zoning report this evening on Solicitors.
5. Speeding on Angel- Mr. Iacino talked about a complaint of speeding near Sheffield.
6. 1719 Mount Vernon- Resident received a bogus letter about her dog at Oakwood Square. The letter was a fake that was sent to her by someone.
7. Stolen Flowers-Alpine Park- Mr. Alexander talked about stolen flowers at Alpine Park where someone literally dug up two plantings and took them.

Other concerns for sheriff were Ruth Hawker of 3111 26th Street NE with regard to running of a stop sign at 26th and Willowrow and also the dealing of drugs in the area.

UNFINISHED BUSINESS:

1. School Resource Officer-contract information that the original contracts for cops in schools for the Board to review.

UNFINISHED BUSINESS: (continued)

2. Amend Resolution #06-430 (Cisco Routers)

#06-449

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to amend Resolution #06-430, passed August 8, 2006, to read as follows;
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 \$1,501.88, to be paid from the following funds: \$514.86 from 10-A-15; \$171.62 from 04-A-13; \$171.62 from 14-A-08; and \$643.78 from 01-A-26E.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

3. Schneider St. Property Purchase –

#06-450

Motion by Mr. Giavasis,
WHEREAS, on July 25, 2006 (Resolution #06-416) the Plain Township Board of Trustees, Stark County, Ohio, authorized the purchase of property on Schneider St.;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to go forward with the purchase of the Schneider Street property at a total purchase price of \$1,263,046.32; and
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment of \$1,263,046.32 to Real Estate Title Service, to be paid as follows: \$263,046.32 from Fund #01-B-03, and \$1,000,000.00 from the bond issue.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

NEW BUSINESS:

1. Newsletter-

#06-451

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the printing and distributing of Issue 3, Fall 2006 of the Plain Township Newsletter by Pinnacle Press at a cost not to exceed \$6,000.00, to be paid from Fund #01-A-26E.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

FISCAL OFFICER'S REPORT:

1. Pending Warrants –

#06-452

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 \$190,730.05 as attached hereto and made a part of these minutes.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

FISCAL OFFICER’S REPORT (continued):

2. Regular Payroll –

#06-453 Motion by Mr. Leno,
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 \$150,000.00.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

3. Payment of Medical Claims –

#06-454 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>
8/15/06	EFT 60992	\$7,372.84

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

4. The Investment report was given and Mr. Shriver pointed out
that the most recent investment exceeds the interest rate that we
would be paying for our bond issue for the new purchase of the
property. It was accepted by the Board.

5. Transfer of Funds-

#06-455 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-A-26E- Other Expenses	01-A-28D- Contractual- Engineering Consultant	\$4,000.00
10-A-08- Tools & Equipment	10-A-09- Supplies	\$5,000.00
14-A-07-Contracts- Referees	14-A-04- Tools& Equipment	\$2,000.00
28-A-05-Tools & Equipment	28-A-08B-Contracts-Physio Control	\$3,400.00

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

6. 2007 Budget Hearing -

#06-456 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to set a public hearing for the 2007 Plain
Township Budget on September 12, 2006 at 7:30 p.m. and to further
authorize the Plain Township Fiscal Officer to publish a notice of the
Public Hearing in the Repository at least ten days prior to the hearing.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

FISCAL OFFICER’S REPORT (continued):

7. Purchase Property on Schneider Street -

#06-457

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees entered into an agreement for the purchase property on Schneider Street at their meeting on July 25, 2006 (Resolution #06-416);
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adopt the attached resolution providing for the issuance and sale of \$1,000,000 of bonds to pay a portion of the cost of acquiring an approximately 42-acre site for Township parks and recreational purposes.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADMINISTRATOR:

1. Creek Leap- A thank you letter from Eric Akin regarding the Creek Leap program thanking everyone within the township for their help in a successful clean-up.
2. Proposed Road Vacations- Information and dates for road vacations were given. Dan Kuntz was present from Stark Parks to ask for the Trustees support in not vacating Devon Street because the Stark Parks want to run part of their trail through that area.

FIRE DEPARTMENT:

1. Quick Stop at Middlebranch and Martindale- Update that the vendor who was going to be doing the installation is going to be going bankrupt. Chief Sabo suggested some type of letter so that we are officially on the record, taking notice of this problem at the Quick Stop in this open area and the ground.
2. Special Duty Pay

#06-458

Motion by Mrs. Bossart,
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
Jason Myers	16	\$ 96.00
Dan Rhodes	16	96.00
Dave Truex	20	120.00
Sean Venosdale	30	180.00
Ron Wagner	20	120.00
Randy Wilson	14	84.00

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

ROAD DEPARTMENT:

1. Changes to Road Opening Permit

#06-459

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to make the following changes to the Road Opening Permit:

Driveway - \$10.00; Driveway Improvement - \$10.00; Drive w/curb cut - \$10.00

Seconded by Mrs. Bossart.

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

2. Certificate of Estimated Property Tax Revenue- Mr. Iacino went over. The 2.0 mill would increase the \$100,000 home value by \$20. 23 per year and the 2.25 by \$27.89 per year. Mrs. Bossart said that she was comfortable with the 2.0, which would be increasing the road levy only .5 mills. Mr. Giavasis wanted to be sure that Mr. Iacino was comfortable with that. Mr. Leno wanted to caution the press that they should make sure everything is correct and that they say it is only costing the homeowner of a \$100,000 home \$20 per year additional for the .5 additional levy for a total of 2.0 mills.

3. Ballot Language-2.0 mills- A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF THE REPLACEMENT AND AN ADDITIONAL TAX LEVY IN EXCESS OF THE TEN-MIL LIMITATION FOR THE PURPOSE OF PROVIDING FOR GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING, AND REPAIR OF STREETS, ROADS AND BRIDGES IN THE PLAIN TOWNSHIP ROAD DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO

#06-460

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-mil limitation in and for the Plain Township Road District, Plain Township, Stark County, Ohio for the next five years will be insufficient to provide an adequate amount for the necessary requirements for said Plain Township Road District for the purpose of providing for general construction, reconstruction, resurfacing and repair of streets, roads and bridges in the Plain Township Road District, Plain Township, Stark County, Ohio; and

WHEREAS, by reason thereof, this Board has determined that it will be necessary to levy a replacement of the existing tax levy of 1.5 mills and an additional tax levy of 0.5 mills, which is in excess of such limitation, for a continuing period of time for the purpose of providing for general construction, reconstruction, resurfacing and repair of streets, roads and bridges in the Plain Township Road District, Plain Township, Stark County, Ohio; and

WHEREAS, on August 8, 2006, this Board adopted a Resolution declaring it necessary to submit to the electors of the District the question of the replacement of a tax in excess of the ten (10) mill limitation as described below, a copy of which Resolution was certified to the Auditor of the County of Stark; and

ROAD DEPARTMENT (continued):

WHEREAS, the County Auditor of the County of Stark has certified to this Board that the dollar amount of revenue that would be generated by the rate of 2.0 mills for each one dollar of tax valuation is \$1,363,422.00.

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

SECTION 1. This Board hereby determines to proceed with the submission to the electors of the District at an election to be held on November 7, 2006, the question of the replacement of and an additional tax, in excess of the ten-mil limitation at the rate of 2.0 mills for each \$1.00 of tax valuation, which amounts to 20 cents for each \$100 of tax valuation, for a period of 5 years, tax years 2007, 2008, 2009, 2010 and 2011. It is currently estimated by the Stark County Auditor that the rate of 2.0 mills for each one dollar of valuation will generate \$1,363,422.00.

SECTION 2. The Fiscal Officer is authorized and directed to certify to the Stark County Board of Elections copies of this Resolution and the Resolution of this Board and the Certificate of the County Auditor referred to in the preambles hereto on or before August 24, 2006. This Board hereby requests that the Board of Elections prepare the ballot forms and make the other necessary arrangements for the submission of this question to the electors of the District, all in accordance with the law.

SECTION 3. BE IT FURTHER RESOLVED that the form of the ballot cast at such election shall be:

(A Majority Affirmative Vote is Necessary for Passage)

“A replacement of 1.5 mills of an existing levy, and an increase of 0.5 mills, to constitute a tax for the benefit of the Plain Township Road District, Plain Township, Stark County, Ohio, for the purpose of providing for general construction, reconstruction, resurfacing and repair of streets, roads and bridges in the Plain Township Road District, Plain Township, Stark County, Ohio, at a rate not exceeding 2.0 mills for each One Dollar (\$1.00) of valuation, which amounts to twenty (20) cents for each One Hundred Dollars (\$100.00) of valuation for five (5) years, tax years 2007, 2008, 2009, 2010 and 2011.

- FOR THE LEVY
- AGAINST THE LEVY

BE IT FURTHER RESOLVED that the Fiscal Officer of this Board be, and he hereby is, directed and authorized to proceed forthwith with the certification hereof to the Board of Elections of Stark County, Ohio pursuant to the provisions of Sections 5705.19, 5705.192 and 5705.25 and other related statutes, and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution;

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 the law, including Section 121.22 of the Ohio Revised Code;

SECTION 5. This Resolution shall be in full force and effect immediately upon its adoption.

Seconded by Mr. Giavasis.

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

ROAD DEPARTMENT (continued):

4. Petition for Sidewalk on 29th St. –

#06-461

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to set a public hearing for October 10, 2006 at 7:15 p.m. for creation of a sidewalk district as petitioned by the property owners of 29th Street between Beverly Avenue and Gibbs Avenue, and hereby authorize the Plain Township Clerk to make the necessary notification to the property owners and to publish a legal ad in the Repository of the hearing.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

5. Schneider Street Storm Sewer- Mr. Iacino told the Board that the approximate cost for this project would be around \$8,000. Mrs. Bossart asked if it was something we could do internally. Mr. Iacino said that it was off road and legally we would not be permitted to spend money; however we could buy the material which would probably save some money and have the contractor do this work.

ZONING DEPARTMENT:

1. Certification & Payment of Nuisance Abatements -

#06-462

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adopt the attached payment of nuisance abatements.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-463

2. Transient Vendors -

Motion by Mr. Giavasis,
WHEREAS, ORC 504.04(A) authorizes the Township to exercise powers of local self-government and to adopt and enforce within the Township local police, sanitary, and other similar regulations; and NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, pursuant to Chapter 504 of the Ohio Revised Code, and within the authority of Limited-Self Government, that we hereby adopt the following regulation of the transient vendor policy within the Township and the corresponding fines for violation thereof to take effect and to be enforced from and after the earliest period allowed by law.

CHAPTER 1000 – TRANSIENT VENDORS
SECTION 1001 - TRANSIENT VENDOR POLICY
Transient Vendor Policy

(1) As used in this legislation, "transient vendor" means any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the township, **either** sells **or** offers for sale **goods**, or solicits orders for future delivery of goods where payment is required prior to the delivery of the goods. "Transient vendor" does not include any person who represents **any entity** exempted from taxation under Section 5709.04 of the Ohio Revised Code, that notifies the Board of Township Trustees that its representatives are present in the township for the purpose of

ZONING DEPARTMENT: (continued)

either selling **or** offering for sale **goods**, or soliciting orders for the future delivery of goods, and does not include an auction or an auctioneer company licensed under Chapter 4707 of the Ohio Revised Code. Entities exempt from taxation under Ohio Revised Code Section 5709.04 are corporations, trusts, associations, funds, foundations or community chests, organized and operated exclusively for religious, charitable, scientific, literary, health, hospital, educational, or public purposes, exclusively for the prevention of cruelty to children or animals, exclusively for a home for the aged, or exclusively for contributing financial support to any such purposes, no part of the net earnings **of which** inures to the benefit of any private shareholder member or other individual, and no substantial part of the activities **of which is carrying** on propaganda or otherwise attempting to influence legislation.

(2) All "transient vendors" are hereafter required to apply for a transient vendor's permit with the Plain Township **Zoning Director** at the administrative offices of Plain Township, Stark County, Ohio, located at 2600 Easton Street, N.E., Canton, Ohio 44721-2655. Prior to being eligible to receive said permit, the transient vendor must first pay to the township a **\$75.00** permit fee and must have previously received a vendor's license for the sale of tangible personal property at retail from the Department of Taxation, State of Ohio.

(3) Upon the issuance of a transient vendor's permit to an applicant, said permit is valid for a period of ninety (90) days after the date of issuance of the requested permit.

(4) A transient vendor's permit is required for each location that said vendor intends to sell, offer for sale, or solicit orders for future delivery of goods.

(5) A transient vendor's permit is required for each person who, on the streets, or while traveling about the Township, sells, offers for sale, or solicits orders for future delivery of goods where payment is required prior to delivery of goods.

(6) Upon the payment of an additional **\$75.00** permit fee, a transient vendor's permit can be renewed and will remain valid for a period of 90 days after the date of renewal. An applicant is limited to one application and renewal per location for each 12 month period.

(7) A validly authorized transient vendor's permit can only be utilized in a S-1, Suburban Office District, B-1, Neighborhood Business District; B-2, General Business District; I-1, Light Industrial District; and I-2, General Industrial District of Plain Township, Stark County, Ohio as set forth on the Township Zoning Map; or a farm market permitted under Section 519.21 of the Ohio Revised Code. The use of a transient vendor's permit for residences in any residential district is prohibited.

(8) The validly authorized transient vendor's permit must be on display at the approved location for the sale, offer for sale, or solicitation of orders for the future delivery of goods, or each person must display an authorized identification badge, who, on the street or while traveling about the Township, sells, offers for sale, or solicits orders for future delivery of goods where payment is required prior to the delivery of goods.

(9) The issuance of a validly authorized transient vendor's permit does not authorize the use of the permit on private property without the owner's written permission.

(10) An entity exempted from taxation under Section 5709.04 who provides notice to the Board of Township Trustees that its representatives are present in the township in accordance with the requirements of Paragraph #1 of this legislation shall complete a form

ZONING DEPARTMENT: (continued)

to be filed with the Township. However, said entities are not subject to any of the regulations set forth in this legislation except those requirements set forth in Paragraph #1 of this legislation necessary for said exempt entity to be accepted from the definition of "transient vendor."

(11) Regulations

A. Definition:

"Transient vendor" means any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the township, **either** sells **or** offers for sale **goods**, or solicits orders for future delivery of goods where payment is required prior to the delivery of the goods. "Transient vendor" does not include any person who represents **any entity** exempted from taxation under Section 5709.04 of the Ohio Revised Code, that notifies the Board of Township Trustees that its representatives are present in the township for the purpose of **either** selling **or** offering for sale **goods**, or soliciting orders for the future delivery of goods, and does not include an auction or an auctioneer company licensed under Chapter 4707 of the Ohio Revised Code.

B. Application for Transient Vendor Permit:

An application is to be completed by the transient vendor applicant. The transient vendor's permit is a form to be issued after approval of said application to the applicant. A badge furnished by the Township, displaying the words "Transient Vendor" and the number of the Transient Vendor's Permit, must be displayed while traveling about the Township, selling, offering for sale, or soliciting orders for the future delivery of goods where payment is required prior to the delivery of the goods.

C. Permit Fee:

Every transient vendor shall obtain a permit before engaging in business for the sale of goods or who, on the streets or while traveling about the Township, sells, offers for sale, or solicits orders for the future delivery of goods, and shall pay a fee of **Seventy-Five dollars (\$75.00)** for the maximum period of ninety (90) consecutive days. The permit shall terminate automatically with the last day for which the fee has been paid. Upon payment of an additional **\$75.00** permit fee, a permit can be renewed for an additional 90 consecutive days. A vendor is limited to one application and renewal per location every 12 months.

D. Exceptions:

(1) Any person who represents a business or organization, including, but not limited to, any entity exempted from taxation under Section 5709.04 of the Ohio Revised Code, that notifies the Board of Township Trustees that its representatives are present in the Township for the purpose of selling, offering for sale, or soliciting orders for the future delivery of goods, or an auction or an auctioneer company licensed under Chapter 4707 of the Ohio Revised Code.

(2) Nothing in these regulations shall apply to persons selling items governed herein for any projects sponsored by the elementary and high schools and/or churches.

ZONING DEPARTMENT: (continued)

(12) Penalty:
Section 505.94 of the Ohio Revised Code. Whosoever violated Ohio Revised Code Section 505.94 or any of the regulations set forth herein is guilty of a misdemeanor punishable by a fine up to one hundred dollars (\$100.00). BE IT FURTHER RESOLVED, that this resolution be duly recorded and authenticated by the signature of the Township Fiscal Officer and the Plain Township Board of Trustees shall hereby advise the Fiscal Officer to publish same in a newspaper of general circulation within the Township according to the requirements of ORC 504.11 and 504.12.

Seconded by Mrs. Bossart.

Discussion: Concern as to children in school having to get a permit. It was later pointed out by our Law Director that there was a paragraph within the home rule resolution that exempted elementary and high school students for any of their fundraising activities within a neighborhood.

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

3. Nuisance Abatement- 3520 Dapplegray Street NW

#06-464

Motion by Mrs. Bossart,
WHEREAS, a public hearing was held on August 22, 2006 by the Board of Trustees regarding the property conditions at 3520 Dapplegray Street NW, Stark County, Ohio (Parcel # 52-05830) and WHEREAS, Rhonda Spreadbury, 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 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: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

PARKS & RECREATION:

1. Removal of Red Metal Goal- Mr. Alexander explained to the Board that he would like to eventually remove the red metal goal over the doors. He also said he would like to have some type of awning over the doors for inclement weather, along with a proper signage on the building with the crest of Plain Township or something of that nature.
2. Air Circulation (Diamond Park) - Mr. Alexander gave a report that there was circulation available. He tested it by having the Glen Oak Soccer team come in to have an indoor scrimmage. It was 80 degrees outside, 80 degrees inside and within an hour the test proved okay as the degrees inside dropped by 2 degrees. He said that it proved it would be available to be used year round for some programming inside the soccer arena.

PARKS & RECREATION: (continued)

3. Fall Programs- Mr. Alexander went over the different fall programming schedules for the community and also the CPR class to be held at the Diamond Community Center by the Plain Township Fire Department.

LAW DIRECTOR:

1. Diano Annexation- Mr. Williams pointed out that the annexation was approved by Mr. Regula and Mrs. Jackson and he would be discussing further action with the Board in Executive Session.

COMMUNICATIONS:

1. 2006 Campaign Kick-off United Way
2. The Allhouses- A letter thanking the Road Department for work that had been done.
3. Proposed Sanitary Sewer Service- Stark Metropolitan Sewer District regarding the sewer in Westchester Bob-O-Link allotment. They only received 41% of the residents who wanted this and they cannot go ahead with it at the present time.

CONCERNS OF CITIZENS:

Bryan Daniels Sr. of Spangler road presented the Board with pictures of the creek clean-up day.

John Fielding of 1457 Glenview Street was concerned about the transient vendor rule that went into effect and wanted to know about boy scouts and so forth. He was instructed that boy scouts and church activities are exempt from that rule.

Mary Ann Parr of 804 Marquardt was present to voice her concern about the vacation of Devon street. She is absolutely opposed to it. She wanted to say that a resident near her, Mrs. Fetzer, was also opposed to it and also asked the question how many tracks does Plain Township need. It is unfair to have a track going between two people's homes that have lived there for 40 years. She is against the trail going into this area and also said that most of her neighbors are as well. She also complained of speeding on Marquardt, Plain Local school buses and North Canton school buses go more than 35 miles per hour. It is very dangerous and no one has any business putting a track in that area.

Ruth Hawker of 3111 26th NE was upset because she was never notified about the annexation of the Diano property. She wants to know what the township is going to do so that she can notify her neighbors. She said that she was very disturbed that she was never called. She had talked to Ralph Regula's office and was never notified. The township told her that she was notified just as we were when we read it in the paper.

Steve Griffiths of 5754 Beverly Ave NE asked that no cut-through signs be put in the Kings Creek allotment due to the new school. Mr. Iacino will go out and look at this. He thinks it will take about 3 signs.

Robert Stewart of 2408 49th Street is presently the president of the Zoning Board of Appeals for Plain Township. He wanted to speak about several items: the quick stop should probably be considered a nuisance; regarding the policy on transient vendors, he asked if Firestone came to your door and were asking to do vehicle maintenance or changing of tires. Certainly they aren't transient and wanted to know if established concerns within the township would be

CONCERNS OF CITIZENS: (continued)

considered transient. He also wanted to speak to the Diano property and the comment about the area being a dump. He was on the Board of The First Tee, which followed all of the EPA requirements and brought in a lot of top soil to make the facility a very proud facility. He is very proud that he turned this so-called dump into a proud facility even though it's located in the city of Canton. He also wanted to voice his opinion that he would hate to see the Board waste a lot of money appealing this annexation when he feels that it may be futile in spending of a lot of money that would be a waste of township funds. Robert Page of 2422 41st Street NW said that he has had an ongoing problem with a neighbor parking a trailer and an SUV that blocks the view to his driveway. Mr. Peroz from the Zoning Department said that this has been going on for a very long time. Mr. Joe Bourquin from our Zoning department has been out to this property several times as well as Mr. Peroz. He indicated that as far as he is concerned this is a neighborhood dispute.

APPROVAL OF MINUTES:

#06-465 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 8, 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 August 8, 2006 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

EXECUTIVE SESSION:

#06-466 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:32 p.m. from this regular meeting of August 22, 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; dismissal of a public employee or official; compensation of a public employee or official; the purchase of real, personal, tangible or intangible property; a conference with the law director or other retained counsel concerning pending or imminent court action.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-467 Motion by Mrs. Bossart, to return to regular session at 10:03 p.m.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ANNOUNCEMENTS:

#06-468 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize a boot allowance not to exceed \$100.00 per calendar year for each non-contractual employee in the Parks & Recreation Department and Building Grounds & Maintenance Department effective January 1, 2006.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ANNOUNCEMENTS: (continued)

#06-469 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to terminate the employment of Teresa Dolan,
effective August 9, 2006; and
BE IT FURTHER RESOLVED to approve a severance package based
on her current base pay with checks being issued on regular payroll
dates through September 9, 2006 and to continue health benefits
through September 30, 2006.
Seconded by Mr. Giavasis.
Discussion: Mr. Giavasis said that he would like to extend his thanks to
Teresa for her services.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADJOURNMENT:

#06-470 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 10:05 p.m.
Seconded by Mr. Leno.
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
Fiscal Officer