

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Eric Williams, Lisa Sabina, Joe Iacino, Steve Peroz, John Sabo, Todd Alexander.

President Bossart convened the work session at 6:20 p.m. It was conducted by Mike Jones and Dave Ashman of Cooper and Associates. They discussed the Ohio Public Work Funds and different projects within the Township, recently discussed with Mrs. Sabina and the engineering firm. One of the projects they picked for discussion taking it through Phase I and II was the Lindford storm sewer project. Mr. Iacino said that this is a project that is long overdue. They also said that during Phase II would be the point when it goes to the Ohio Public Works for submission for the possible grant. Mr. Ashman pointed out that it probably would not receive the grant because a lot of it depends on how much the Township puts into the project. This would depend on the result of our upcoming road levy, in hopes that it passes. Other discussion entailed regarding the project and other projects within the township, such as Steiner Heights. Mr. Iacino said that the Lindford project was probably more of a need than Steiner Heights due to the recent cleaning of ditches in the Steiner Heights area.

REGULAR MEETING

EXECUTIVE SESSION:

#06-524 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:45 p.m. from this regular meeting of October 10, 2006 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: compensation of a public employee or official; the purchase of real, personal, tangible or intangible property.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-525 Motion was made by Mrs. Bossart to return to regular session at 6:58 p.m.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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

AGENDA: Approved as prepared.

SHERIFF'S REPORT:

1. Crestland Avenue – A nuisance complaint was received about a home that is owned by a coach at Walsh University. The Sheriff has been notified, as well as officers of the college and township regarding parties that have been going on there by the college students. We will keep that under watch. Mrs. Sabina told the neighbors to call the Sheriff if there are any more disruptions.
2. Mr. Alexander wanted to thank the Sheriff for their help this past Saturday on ticketing some cars that were illegally parked at the soccer fields.

UNFINISHED BUSINESS:

1. Ohio Division of Liquor Control – Spee-D-Foods/Marathon
Mrs. Sabina informed the Board that this was an official request for a liquor license and that is was going to be on the ballot. As far as she can tell, if this doesn't pass, they will probably not build the Spee-D-Foods in that area. We have been directed to send that on with no hearing request.

NEW BUSINESS:

1. False Alarms (September)

#06-526

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	#
Park Farms	1925 30th St. NE	4th
Schumacher Homes	2481 Wise Ave. NW	7th
Time Warner Cable	5520 Whipple Ave. NW	9th
Marathon Station	7960 Cleveland Ave. NW	15th
US Post Office	1930 Spangler St. NE	10th
First Baptist Church	4110 38th St. NW	4th
Occupant	3110 Whipple Ave NW, 6,7,8	4th
Robert Jackson	5609 Aspen Valley Av. 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;

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.

Discussion: Mr. Giavasis asked the Law Director to look into a graduated scale for offenders after three false alarms within the calendar year. Mr. Williams said that he would do so. Mr. Giavasis pointed out that it takes two cruisers when a false alarm is turned in and it takes two of our deputies off of their regular routine. It is also very costly.

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

FISCAL OFFICER'S REPORT:

1. Pending Warrants –

#06-527

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 \$ 194,445.78 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 –

#06-528

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 Mr. Giavasis.

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

3. Payment of Medical Claims –

#06-529

Motion by Mrs. Bossart,
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>
10/03/06	EFT 61256	\$13,744.13
10/10/06	EFT 61257	\$10,499.41

Seconded by Mr. Leno.

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

FISCAL OFFICER’S REPORT (continued):

4. The Financial report was given and accepted by the Board. Mr. Shriver discussed that the most recent investment was made at a 5.23% return for only six months because the longer he checked in going out with the depositories, the lower the interest rate. He was advised by his financial people at the various institutions that six months would be the maximum he should invest this money because of the upcoming elections and how volatile the market is.

5. Transfer of Funds

#06-530

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

FROM	TO	AMOUNT
10-A-08 – Tools & Equipment	10-A-09E – Supplies – Tires	\$2,916.96
04-A-04 – Tools & Equipment	04-A05 – Supplies	\$5,000.00
04-B-02 – Materials	04-A-13 – Other Expenses	\$6,000.00

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

ADMINISTRATOR:

1. Stormwater Report was given; there were no questions.
2. The Buildings & Grounds Maintenance Coordinator Monthly Report was given; there were no questions.
3. Columbus/Harmont Right-of-Way

#06-531

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to the Stark County Engineer in the amount of \$30,572.67 for Columbus/Harmont right-of-way services to be paid from fund # 01-M-03C.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

7:15 PUBLIC HEARING – 29th St. Sidewalks:

Discussion: Michael Manos, who owns a home in the 29th Street project area, was present to speak in favor. He was very much in approval of the new sidewalks in the area and said that the ones that have been done were nicely done and a beautiful addition to the neighborhood.

#06-532

Motion by Mrs. Bossart,
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to approve the sidewalk and curb repair for 29th Street NE on the north side between Gibbs and Beverly Avenue, and to authorize the Plain Township Fiscal Officer to certify 50% of this cost as a special assessment to the property owners to the Stark County Auditor, to be assessed over a period of 5 years, and to authorize Dickerson to perform these repairs per agreement;

7:15 PUBLIC HEARING – 29th St. Sidewalks (continued):

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to Dickerson Construction Co. in the amount of \$18,486.00 upon completion of the repairs per agreement, to be paid from Fund #03-C-03.

Seconded by Mr. Giavasis.

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

ADMINISTRATOR (continued):

4. Road Vacations – Devon, Carmen – Mrs. Sabina discussed the notification of the road vacations.

5. Telephone Agreement with XO -

#06-533

Motion by Mr. Leno,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize Lisa Sabina to sign the attached Service Order Agreement with XO Communications.

Seconded by Mr. Giavasis.

Discussion: Overall, the Departments said they had no problem with the telephone company XO, however Mrs. Sabina did say that she is not comfortable with the way the current voicemail is coming on the phone too rapidly. She would rather have a real person answering the phones instead of it going to a voicemail recording so quickly. The Board and all of the Department heads felt that could be corrected.

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

FIRE DEPARTMENT:

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

2. Attendance at Medina County Fire School

#06-534

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the attendance of up to ten people at the Second Annual Officer Leadership Seminar in Medina on November 11 and 12, 2006 and to approve registration and meals in an amount not to exceed \$800.00 from account #10-A-15A.

Seconded by Mr. Leno.

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

3. Purchase of Tires

#06-535

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of tires from North Central Tire in the amount not to exceed \$6,500.00 to be taken from account #10-A-09E.

Seconded by Mr. Giavasis.

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

ROAD DEPARTMENT:

- 1. The Monthly Report was given; there were no questions.
- 2. Purchase and Installation of Server

#06-536 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio, to authorize payment to Himebaugh Consulting,
 Inc. for the purchase of a new PowerEdge 820 Dell Server, software,
 and installation not to exceed \$5,051.00 from fund #11-A-04.
 Seconded by Mr. Leno.
 Discussion: Mrs. Bossart pointed out that the server will serve the
 Township in backing up the Road Department information in case of a
 disaster.
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

- 3. Stop Sign – Sharonwood & St. Michael’s

#06-537 Motion by Mr. Giavasis,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio, pursuant to the authority of the Ohio Revised
 Code Section 4511.10, that a traffic control device in the form of a stop
 sign be placed at the following intersection based upon the
 recommendation of the Road Superintendent:
 Southbound on Sharonwood Ave NW @ St. Michael Drive NW
 Seconded by Mr. Leno.
 Discussion: It is installed strictly for a safety enhancement for the
 children and crosswalk in that area.
 Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

- 4. Schneider/Market Traffic Light – A letter from the Ohio
 Department of Transportation regarding the light at St. Rt. 43,
 (which is Market Ave.) and Schneider of the possible
 enhancement because of the school. They suggested that we try to
 do some type of enhancement on our own.

ZONING DEPARTMENT:

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

7:30 PUBLIC HEARING – Wicker Creek Lighting District:

#06-538 Motion by Mr. Giavasis,
 WHEREAS, a petition to light artificially the streets and public ways
 in an unincorporated district in this township was filed with the
 Plain Township Fiscal Officer on September 26, 2006 and was
 presented to the Plain Township Trustees on September 26, 2006
 (Resolution #06-507); and
 WHEREAS, the petition was signed by owners of more than one-
 half of the front feet of the lots and lands abutting on the streets and
 public ways of the aforesaid district, and that the petition complied
 with law in specifying the metes and bounds of the district but
 included no lands more than 660 feet from, nor any lands not
 abutting on, the streets and public ways in such districts; and

7:30 PUBLIC HEARING – Wicker Creek Lighting District (continued):

WHEREAS, notice of a hearing before the Plain Township Board of Trustees on the petition for September 26, 2006 was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published against nonresidents, pursuant to RC 515.04, and return of due service and publication was made according to law;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the petition for a lighting district for Wicker Creek Subdivision with eight (8) 9,000 lumens post-top street lights to be located as follows:

- Between Lots 4 and 5 on Knollridge Street NE
- Between Lots 7 and 8 on Knollridge Street NE
- Between Lots 10 and 11 on Knollridge Street NE
- Between Lots 13 and 14 on Knollridge Street NE
- Between Lots 16 and 17 on Knollridge Street NE
- At the intersection of Knollridge St NE and Fiddler Court Circle
- Between Lots 22 and 23 on Fiddler Court Circle
- Between Lots 31 and 32 on Fiddler Court Circle

AND BE IT FURTHER RESOLVED by the Plain Township Board of Trustees to authorize the Plain Township Fiscal Officer to certify this cost as a special assessment to the property owners to the Stark County Auditor and to authorize American Electric Power to install the lights per agreement.

Seconded by Mr. Leno.

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

ZONING DEPARTMENT (continued):

2. Payment & Certification of Nuisance Abatements

a. Vacant Lot #38 on Aspen Street NE

#06-539

Motion by Mr. Giavasis,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at vacant lot #38 on Aspen Street NE (Parcel number #52-02140) to abate the nuisance on this property (Resolution #06-493) on September 13, 2006; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$1,900.12; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$76.50;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$1,976.62 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

ZONING DEPARTMENT (continued):

b. 2561 30th Street NE

#06-539

Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2561 30th Street NE (Parcel number #52-05494) to abate the nuisance on this property (Resolution #06-493) on September 13, 2006; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$348.96; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$191.50;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$540.46 to be placed on the property owner's tax duplicate.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

c. 2930 21st Street NW

#06-539

Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2930 21st Street NW (Parcel number #52-00357) to abate the nuisance on this property (Resolution #06-493) on September 13, 2006; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$88.00;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$88.00 to be placed on the property owner's tax duplicate.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

d. Vacant Lot 241 on Harmon St. NE

#06-539

Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at vacant lot #241 on Harman Street NE (Parcel number #52-02834) to abate the nuisance on this property (Resolution #06-518) on September 26, 2006; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$619.82; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$76.50;

ZONING DEPARTMENT (continued):

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$696.32 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

e. 4137 Martindale Rd. NE

#06-539

Motion by Mr. Giavasis,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 4137 Martindale Road NE (Parcel number #52-13415) to abate the nuisance on this property (Resolution #06-439) on August 8, 2006; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$2,926.88; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$88.00;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$3,014.88 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

f. 2104 40th St. NW

#06-539

Motion by Mr. Giavasis,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2104 40th Street NW (Parcel number #52-10704) to abate the nuisance on this property (Resolution #06-518) on September 26, 2006; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$81.50;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to instruct the Fiscal Officer 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 \$81.50 to be placed on the property owner's tax duplicate.

Seconded by Mrs. Bossart.

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

ZONING DEPARTMENT (continued):

3. Nuisance Abatements

a. 2547 Broad Ave. NW

#06-540

Motion by Mrs. Bossart,
WHEREAS, a public hearing was held on October 10, 2006 by the Board of Trustees regarding the property conditions at 2547 Broad Avenue NW, Stark County, Ohio (Parcel # 52-06582) and WHEREAS, James & Susanne Brosnahan, have 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. Leno.

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

b. 6011 Firestone Rd. NE

#06-540

Motion by Mrs. Bossart,
WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 6011 Firestone Road NE, Stark County, Ohio (Parcel # 52-07787) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent September 27, 2006 and returned "Unclaimed"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

ZONING DEPARTMENT (continued):

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. Instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

c. 3203 Forestview St. NE

#06-540

Motion by Mrs. Bossart,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 3203 Forestview Street NE, Stark County, Ohio (Parcel # 52-07433) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent September 27, 2006 and returned "Unclaimed"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

1. High grass and/or weeds 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. Instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

d. 7917 Market Ave. N

#06-540

Motion by Mrs. Bossart,

WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and

WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 7917 Market Avenue N, Stark County, Ohio (Parcel # 52-11853) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent September 26, 2006 and returned "Unclaimed"; and

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

ZONING DEPARTMENT (continued):

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. Instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

e. 2315 26th St. NE

#06-540

Motion by Mrs. Bossart,
 WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and
 WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2315 26th Street NE, Stark County, Ohio (Parcel # 52-03509) and
 WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent September 28, 2006 and returned "Unclaimed"; and
 WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;
 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:

1. High grass and/or weeds 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. Instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

f. 2911 31st St. NE

#06-540

Motion by Mrs. Bossart,
 WHEREAS, Ohio Revised Code Section 505.87 authorizes the Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the Township if the Board determines that the property owners maintenance of such vegetation, garbage, refuse and other debris constitutes a nuisance; and
 WHEREAS, a complaint was filed and processed regarding a nuisance property condition at 2911 31st Street NE, Stark County, Ohio (Parcel # 52-03031) and
 WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent September 28, 2006 and returned "Unclaimed"; and

ZONING DEPARTMENT (continued):

WHEREAS, the Zoning Director has provided evidence of a nuisance condition on the property;

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

1. High grass and/or weeds 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. Instruct and authorize the Plain Township Fiscal Officer to prepare and publish notice of this decision by publication in a newspaper of general circulation within Plain Township.

Seconded by Mr. Leno.

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

PARKS & RECREATION:

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

#06-541

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of grass seed from Bes Turf in the amount of \$2,960.00 to come from fund #14-A-05B.

Seconded by Mr. Leno.

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

3. Build-A-Bear Program
4. GAASA and GSCASL Tournament updates
5. International Tournament was under negotiation at the present time.
6. Removal of Red Goal – Mr. Alexander told the Board that the crew from the Road Department came up to remove the red goal. He appreciated it very much.

COMMUNICATIONS:

1. Stark County Prosecuting Attorney – A letter appointing Sharon D. Miller as Chief of the Civil Division.

CONCERNS OF CITIZENS:

Judy Pocock, of 4207 Plain Center Rd. NE, secretary of the Plain Township Historical Society, was present to thank the Board and all those involved with the Township for their cooperation in getting the Township Historical Society up and running.

CONCERNS OF TRUSTEES:

1. Compensation for Assistant to Fiscal Officer

#06-542

Motion by Mr. Giavasis,
 WHEREAS, ORC 507.021 states: the Township Fiscal Officer may hire and appoint one or more persons as the Fiscal Officer finds necessary to provide assistance to the Township Fiscal or Deputy Fiscal Officer.
 WHEREAS, ORC 507.021 states: the Township Fiscal Officer may set the compensation of those persons subject to the prior approval of the Board of Township Trustees. Those persons shall serve at the pleasure of the Township Fiscal Officer or, in the absence of the Township Fiscal Officer, the Deputy Fiscal Officer.
 WHEREAS, ORC 507.021 states: the Township Fiscal Officer may delegate to an assistant any of the duties the Fiscal Officer is otherwise required to perform. The appointment of assistants does not relieve the Township Fiscal Officer of the responsibility to discharge the duties of the office but shall serve to provide assistance to the Fiscal Officer in performing those duties.
 WHEREAS, ORC 507.021(B) states: the compensation of an assistant appointed under this section shall be included in the estimate of contemplated expenditures for the Township Fiscal Officer's office that is submitted to the Board of Township Trustees for approval as provided in 5705.28 of the Revised Code.
 WHEREAS, ORC 507.021(C) states: before serving, an assistant to the Township Fiscal Officer shall give bond for the faithful discharge of the duties of the office as may be delegated by the Fiscal Officer. The bond shall be payable to the Board of Township Trustees and shall be for the same sum as required under section 507.03 of the Revised Code for the Township Fiscal Officer, with sureties approved by the board, and conditioned for the faithful performance of duties delegated by the Fiscal Officer. The bond shall be recorded by the Township Fiscal Officer, filed with the county Treasurer, and carefully preserved.
 WHEREAS, the Plain Township Fiscal Officer has requested the approval of compensation for an assistant to the fiscal officer as outlined in ORC 507.021.

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve the compensation for Laura Bordner as part-time assistant to the Township Fiscal Officer as outlined in ORC 507.021 (A) (B) (C) at the rate of \$12.50 per hour with no benefits for a probationary period of 90 days starting September 18, 2006. After this probationary period, if successful, the hourly rate shall be adjusted to \$14.00 per hour as requested by the Plain Township Fiscal Officer upon approval of the Plain Township Board of Trustees.

Seconded by Mr. Leno.

Discussion: Mr. Giavasis said that he had provided Mr. Williams with the Ohio Revised Code with regard to the hiring of personnel in the Fiscal Officer's office. Mr. Williams said that this would precede the former resolution that was used to hire Laura Bordner. Mr. Shriver thanked Mr. Giavasis and said that he had no problem with this whatsoever. It is certainly keeping everything clean and according to the Ohio Revised Code, as it should be.

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

APPROVAL OF MINUTES:

#06-543 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 September 26, 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 September 26, 2006 as presented.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADJOURNMENT:

#06-544 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 7:49 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
Fiscal Officer