

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, Lisa Sabina-Campbell, Joe Iacino, Steve Peroz, Don Snyder, Todd Alexander.

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

AGENDA: Approved as prepared.

SHERIFF'S REPORT:

- 1. Jordan Kirk – Mr. Alexander reported that he was banned from all of our Township Parks and reappeared. He has filed a complaint at the Prosecutor’s Office. There will be a warrant forthcoming and the Sheriff will follow up on this. He is a trouble maker and we do not want him in our Parks.

NEW BUSINESS:

- 1. Winter Newsletter

#06-613

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 4, Winter 2006 of the Plain Township Newsletter by Pinnacle Press at a cost not to exceed \$6,500.00, to be paid from Fund #01-A-26E.

Seconded by Mr. Leno.

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

- 2. False Alarms

#06-614

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

NAME	ADDRESS	#
Key Bank	3010 Whipple Ave. NW	4th
BP Procure	5020 Whipple Ave. NW	6th
Fisher Foods	4403 Cleveland Ave. NW	6th, 7th, and 8th
Schumacher Homes	2481 Wise Ave. NW	7th and 8th
US Post Office	1930 Spangler St. NE	11th
Whiskers, Wings & Wild	2696 Easton St. NE	5th
Occupant	3110 Whipple Ave NW, 6,7,8	5th
McDonalds	2628 Easton St. NE	4th and 5th
Dean Olivieri	3736 Old Colony Dr. NW	5th
Margaret Baumbaugh	3533 Blackburn Rd. NW	5th and 6th

NEW BUSINESS: (continued)

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

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

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

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

Seconded by Mrs. Bossart.

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

- 3. Road Levy – Mrs. Sabina-Campbell said that the deadline for the May 8, 2007 primary elections would be February 22, 2007. After discussion, the Trustees decided that they would like Mrs. Sabina-Campbell to get replacement and renewal figures from the Stark County Auditor, which will be discussed at future meetings. Amongst the discussion, the Trustees did not want their credibility to go down by putting this out in front of voters repeatedly. Mr. Leno was concerned about the projects that were planned had the levy passed. Mrs. Bossart pointed out that the cost continued to go up in the meantime. Mr. Giavasis said that there is a climate of anti-tax and that there was a message sent; he feels that it should be respected although the Board will look at the replacement and renewal and discuss it at a future meeting.

FISCAL OFFICER’S REPORT:

- 1. Pending Warrants –

#06-615

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 \$75,937.38 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 –

#06-616

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.

FISCAL OFFICER'S REPORT (continued):

3. Payment of Medical Claims –

#06-617

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>
11/21/06	EFT 61507	\$3,289.97
11/28/06	EFT 61508	\$40,837.40

Seconded by Mr. Leno.

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

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

5. Release of Fire Escrow Proceeds

#06-618

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the release of insurance proceeds being retained for a loss caused by fire on July 15, 2006 at 2210 31st Street NE, Canton, OH 44705 in the amount of \$5,000.00 payable to Mr. Tom Kell at 2202 31st Street NE, Canton, OH 44705 as authorized by Thomas M. McCallin, Captain, Bureau of Life Safety and Records.

Seconded by Mr. Leno.

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

6. Transfer of Funds -

#06-619

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:

<u>From</u>	<u>To</u>	<u>Amount</u>
03-B-02 – Materials	03-A-05A – Supplies – Fuel	\$ 15,000.00
04-A-04 – Tools & Equipment	04-A-05D – Supplies – Tires	\$ 500.00
14-A-05 – Supplies	14-A-08 – Other Expenses	\$ 2,000.00

Seconded by Mr. Giavasis.

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

7. Sick Pay Bonus - Firefighters

#06-620

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:

FISCAL OFFICER’S REPORT (continued):

Name	Amount
Stephen Ash	500.00
Matt DeCosta	500.00
Jeremy Guenther	0.00
Eric Haines	0.00
Craig Hamilton	0.00
Ben Hershberger, Jr.	500.00
Howard Hershberger	500.00
Jack Jackson	0.00
Scott Jackson	0.00
Robert Johnson	0.00
John F. Klingaman	150.00
Jason Kuhn	0.00
Michael Lowmiller	0.00
Brandon Mackall	500.00
Bill Meers	0.00
Robert Morton	500.00
Jeff Pierpont	250.00
Robert Ramey	0.00
William Reed Jr.	500.00
Charles Shalenberger	500.00
Robert Skolmutch	0.00
Troy Slabaugh	500.00
Kevin Vandegrift	0.00
Christopher Villard	0.00
Douglas Woodyard	500.00
Gregg Wright	500.00
Total:	\$ 5,900.00

Seconded by Mrs. Bossart.

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

8. Appropriate Funds

#06-621

Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees requested an
Additional Amended Certificate of Estimated Resources from
the Stark County Auditor (Res. #06-581);
BE IT HEREBY RESOLVED by the Plain Township Board of
Trustees, Stark County, Ohio to appropriate the funds certified
by the Stark County Auditor as follows:

Code	Amount
01-A-26E – Other Expenses	\$31,126.92
01-A-05C – Equipment – Fiscal Officer	5,000.00
01-B-04 – Utilities	3,000.00
01-27 - Transfers	490,804.17
04-A-13 – Other Expenses	21,137.53
09-A-07 – Tools & Equipment	12,635.61
10-A-08 – Tools & Equipment	60,063.93
11-B-02 – Materials	14,748.48
11-B-02D – Materials – Signs	2,000.00
13-A-01 – Salaries	9,000.00
17-A-01 – Payouts – Deposits Returned	25.00
21-A-02 – Capital Equipment – Building Fund	250,000.00
21-A-02C – Capital Equipment – Rescue Truck	250,000.00

Seconded by Mr. Giavasis.

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

FISCAL OFFICER’S REPORT (continued):

- 9. Set Records Commission Hearing – December 12 – 6:50 p.m.
- 10. Establish Debt Service Fund

#06-622

Motion by Mr. Leno,
 WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio on August 22, 2006 passed Resolution 06-449 providing for the issuance and sale of \$1,000,000 of Bonds for the financing of Schneider St. Property ;
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to establish Fund 15 – Schneider Bond Fund for repayment of these bonds and to authorize the Plain Township Fiscal Officer to certify this fund to the State of Ohio Auditor and to the Stark County Auditor;
 BE IT HEREBY FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the transfer of \$490,804.17 from the General Fund to Fund 15 – Schneider Bond Fund and certification by the Plain Township Fiscal Officer to the Stark County Auditor;
 AND BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio upon receipt of the certification by the Stark County Auditor to authorize the Plain Township Fiscal Officer to appropriate the funds as follows:

15-A-01 – Schneider Bond Principal	\$400,000.00
15-A-04 – Interest	\$90,804.17

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

- 11. Release of Road Bond

#06-623

Motion by Mr. Giavasis,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the release of funds being retained as a performance bond for the 29th Street Sidewalk Project (North side) in the total amount of \$2,500.00 to Dickerson Construction Company, 10871 Mogadore Ave. NW, Uniontown, OH 44685 as authorized by Joseph P. Iacino, Road Superintendent.
 Seconded by Mrs. Bossart.
 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADMINISTRATOR:

- 1. OTARMA VIP Rewards Program – Mrs. Sabina-Campbell said that this was a rewards program put together by OTARMA due to some excess funds. We comply for a six year membership for 20% reimbursement, which would amount to about a \$12,000.00 savings in our insurance premium because OTARMA is the writer through which we insure our vehicles, buildings and overall liability.
- 2. Ohio Tobacco Quit Line

#06-624

Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment to the Ohio Tobacco Prevention Foundation of up to \$46.00 per employee for up to an eight-week supply of nicotine patches in accordance with the Ohio Tobacco Quit Line program.

ADMINISTRATOR (continued):

Discussion: There is money available from lawsuits against Tobacco companies to participate in a Tobacco Cessation program, which includes receiving patches and sharing the cost.

Seconded by Mr. Giavasis.

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

3. Ohio Township Winter Conference

#06-625

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Trustees, Fiscal Officer, Administrator, and Departments Heads to attend the Ohio Township Association Winter Conference in Columbus January 31 – February 4, 2007; and to authorize payment of \$40 pre-registration fee, lodging, reimbursement for food, mileage and parking for those attending.

Seconded by Mr. Giavasis.

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

FIRE DEPARTMENT:

1. Miscellaneous EMS Boxes

#06-626

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of miscellaneous EMS Boxes from US SafetyGear in an amount not to exceed \$1,000 to be taken from Account 28-A-05.

Seconded by Mr. Leno.

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

2. Fire Department Chaplains – One of the Chaplains is from Werner United Methodist Church on Werner Church road, the other is from Bethany United Methodist Church on Easton Street. Both have received approval from their church councils to serve as Chaplains. More information will be coming to the Board at the next meeting.

3. Firehouse Maintenance Contract

#06-627

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to renew the annual ACS Firehouse Solutions Software maintenance agreement in the amount of \$2,020.00 to be paid from the 10-A-08 account.

Seconded by Mr. Giavasis.

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

4. UHF Repeater Radios – Mr. Snyder went over the fact that our repeaters, one located here and the other located on Cromer, have been under repair several times in recent months and we could be looking at having to replace those. The price from Domer Communication is \$7400.00 each. Our current repeaters are approximately 15 years old. When Chief Sabo returns, there will be more information coming to the Board about this item.

ROAD DEPARTMENT:

1. Purchase of Tires

#06-628

Motion by Mr. Leno,
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 an amount not to exceed \$4,379.42 from Fund 4-A-5D.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

2. School Flashers – Schneider – Mr. Iacino reported that he called several companies and no one would answer him. Schwab Electric was the only one that would come forth. He indicated that Mrs. Reikowski in the Finance office said that this was the same situation as before when we installed those flashers on Schneider Street at Warstler Elementary School. The Board discussed the cost for these flashers, which is in excess of \$10,000.00. They will discuss this more in the future and whether to put these in or not. The flashers that we have in use now are also maintained by the Township.

3. Purchase of Fuel

#06-629

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 \$15,000.00 from Fund # 3-A-5A.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

4. Door Repair

#06-630

Motion by Mr. Leno,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize Conrad Construction to repair damaged header, J-channel and garage door on the north bay of the road department building not to exceed the amount of \$1,260.00 from Fund 4-A-13.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

5. 29th Street Sidewalks Completed – Mr. Iacino showed pictures to the Board and said that all the residents are very pleased.

PARKS & RECREATION:

1. Build-A-Bear – Mr. Alexander talked about the Build-A-Bear program that was put on and an update showing pictures of the participation. There were over 20 kids involved.
2. Diamond in the Snow – Program will be on December 10, 2006 from 12:00 p.m. – 3:00 p.m. It is another free program which participants will make ornaments for the Diamond Community holiday tree.

COMMUNICATIONS:

1. Ohio Department of Transportation – A letter talking about the Type 1 and Type 2 training that will be available considering work zone traffic and snow and ice.
2. Ohio Department of Transportation – John Avery has been named the Interim Deputy Director for our district of Ohio Department of Transportation.

APPROVAL OF MINUTES:

#06-631 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 14, 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 November 14, 2006 as presented.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-632 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 special meeting held November 21, 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 special meeting held November 21, 2006 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

EXECUTIVE SESSION:

#06-633 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 7:42 p.m. from this regular meeting of November 28, 2006 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: appointment 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; preparing for, conducting or reviewing negotiations or bargaining sessions with public employees.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#06-634 Motion by Mrs. Bossart to return to regular session at 9:03 p.m.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

PLAIN TOWNSHIP BOARD OF TRUSTEES

2600 Easton St. NE
Canton, OH 44721

Regular

Page 9 of 9
November 28, 06

ADJOURNMENT:

#06-635 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to adjourn at 9:03 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