

PLAIN TOWNSHIP BOARD OF TRUSTEES

Regular

2600 Easton St. NE
Canton, OH 44721

Page 1 of 9
December 26, 06

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, Lisa Sabina-Campbell, Joe Iacino, Steve Peroz, Todd Alexander.
Media present: Natalie Lariccia, the Repository.

AGENDA: The agenda was presented. Added to the agenda was #7 under the Fiscal Officer’s report, with regard to Laura Bordner.

SHERIFF'S REPORT:

Sgt. Curry and Detective Hostetler were present.

UNFINISHED BUSINESS:

1. Meadowlake Drainage – Mr. Iacino went over the Meadowlake drainage problems that Mr. Barr had brought to our attention at the last meeting. He had talked with Chris Barnes, the Engineer with the City, on this manner, who stated that the project consists of some roadway improvements, curb and gutter, and replacement of existing storm sewer pipe. After searching for storm sewer easements on Mr. Barr’s property, none were found. As for the claim of the road salt causing pipe across the golf course to deteriorate, there are many reasons for this. Some are, but are not limited to, the age of the pipe, salt coming from many areas such as private drives, parking lots, pesticides, and fertilizers. Mr. Iacino pointed out that if the Board wanted to go any further on this project, they could choose to do so. Nowhere could it be found that they are liable to do so.

NEW BUSINESS:

1. False Alarms –

#06-660

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	#
BP Procare	5020 Whipple Ave. NW	7th
Gastroenterology Specialist	2726 Fulton Dr. NW	4th
McDonalds	3934 Everhard Rd. NW	5th, 6th, 7th
McDonalds	2628 Easton St. NE	6th
Park Farms	1925 30th St. NE	5th
Toys R Us	4822 Whipple Ave. NW	4th
Mariam Flowers	3002 Maxine Ave. NE	4th
Robert Jackson	5609 Aspen Valley Av. NE	5th
Sue Clark	4636 Orchard Dale Dr. NW	4th, 5th, 6th

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

NEW BUSINESS: (continued)

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 Fiscal Officer 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 Fiscal Officer 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, absent; Mrs. Bossart, yes.

FISCAL OFFICER'S REPORT:

1. Pending Warrants –

#06-661

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 \$76,944.01 as attached hereto and made a part of these minutes.
Seconded by Mrs. Bossart.

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

2. Regular Payroll –

#06-662

Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of the regular payroll in an amount not to exceed \$150,000.00.
Seconded by Mr. Leno.

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

3. Payment of Medical Claims –

#06-663

Motion by Mr. Leno,
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>
12/19/06	EFT61583	\$9,405.68

Seconded by Mrs. Bossart.

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

4. The Investment report was given and accepted by the Board. Mrs. Bossart said that the earnings on the interim investments looked very good.

FISCAL OFFICER'S REPORT: (continued)

5. a. Transfer of Funds –

#06-664

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
01-A-26e – Other Expenses	01-A-26B – Other – Salaries – FO	\$ 500.00
01-A-26e – Other Expenses	01-E-01 – Contracts	60.00
01-F-06 – Supplies	01-F-07 – Repairs	275.00
01-A-26e – Other Expenses	01-J-01 – Salaries	2,700.00
10-A-08 – Tools & Equipment	10-A-01F – Salaries – Paramedics OT	12,000.00
10-A-08 – Tools & Equipment	10-A-01H – Salaries – Paramedics Holiday Pay	5,000.00
10-A-08 – Tools & Equipment	10-A-01M – Salaries – Mechanics	1,000.00
10-A-08 – Tools & Equipment	10-A-01S – Salaries – Paramedics Sick Pay Bonus	825.00
10-A-08 – Tools & Equipment	10-A-10 – Repairs	400.00

Seconded by Mr. Leno.

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

b. Transfer to Zoning Fund –

#06-665

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to authorize the following the transfer of funds and
to authorize the Plain Township Fiscal Officer to certify this transfer to
the Stark County Auditor:

FROM	TO	AMOUNT
01 - General Fund	13 – Zoning Fund	\$ 7037.16

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Plain
Township Board of Trustees upon certification by the Stark County
Auditor to appropriate \$7,037.16 to 13-A-05 – Other Expenses.
Seconded by Mrs. Bossart.

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

c. Transfer of Trust Fund –

#06-666

Motion by Mr. Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio
established Fund 17-C (Expendable) Trust – 54th Street NE Extension
(Resolution #93-346 on 7/6/93) as an escrow for the future construction
of 54th Street NE in the Norwood Hills Allotment; and
WHEREAS, the Plain Township Board of Trustees has determined that
the payment of all obligations incurred and payable from the above-
referenced special fund is complete;
NOW, THEREFORE BE IT RESOLVED, by the Plain Township Board of
Trustees, Stark County, Ohio, pursuant to O.R.C. 5705.14(B), that the
Plain Township Board of Trustees hereby approves the following transfer
of funds:

17(C) Trust – 54th Street NE Extension to the General Fund - \$1,954.00

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Plain
Township Board of Trustees, Stark County, Ohio, to authorize the fiscal
officer to certify this transfer of funds to the Stark County Auditor and to
appropriate \$1,954.00 to 01-M-04 – Other Expenses.

Seconded by Mrs. Bossart.

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

FISCAL OFFICER’S REPORT: (continued)

6. Temporary Appropriations –

#06-667 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to authorize Temporary Appropriations for the year
2007 as attached hereto and made a part of these minutes.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, absent; Mrs. Bossart, yes.

7. Financial Assistant -

#06-668 Motion by Mr. Leno,
WHEREAS, Plain Township Board of Trustees, Stark County, Ohio,
hired Laura Bordner as the Financial Assistant in the Plain Township
Fiscal Office on September 18, 2006 (RES. # 06-499);
WHEREAS, Laura Bordner successfully completed her probationary
period on December 18, 2006;
NOW THEREFORE, BE IT HEREBY RESOLVED by the Plain Township
Board of Trustees, Stark County, Ohio to increase Laura Bordner’s
hourly rate to \$14.00 per hour effective December 18, 2006.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, absent; Mrs. Bossart, yes.

ADMINISTRATOR:

1. Highway System Mileage Certification –

#06-669 Motion by Mr. Leno,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, to certify to the Ohio Department of Transportation that
the total mileage for 2006 is 169.05 miles.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, absent; Mrs. Bossart, yes.

2. Soil and Water Conservation District Agreement – Mrs. Sabina-
Campbell went over this with the Trustees.

3. DioGuardi Annexation – a copy of the Stark County Commissioners’
resolution.

4. Harmont East Annexation –

#06-670 Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees wishes to withdraw its
objection to the City of Canton’s Annexation Petition entitled the “Harmont
East Annexation Area” which was filed with the Board of Stark County
Commissioners on or about October 12, 2006; and
WHEREAS, the Plain Township Board of Trustees wishes to withdraw its
objection to the City of Canton’s Annexation Petition entitled the “Harmont
East Annexation Area” which was filed with the Board of Stark County
Commissioners on or about October 12, 2006; and
NOW, THEREFORE BE IT RESOLVED that the Board of Trustees for Plain
Township, Stark County, Ohio does hereby formally withdraw its objection
to the proposed “Harmont East Annexation Area”.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, absent; Mrs. Bossart, yes.

ADMINISTRATOR: (continued)

5. Police Levy –
 - a. 2.25 mill Replacement –

A RESOLUTION DECLARING IT NECESSARY TO SUBMIT THE QUESTION OF REPLACING A TAX LEVY FOR THE PURPOSE OF THE PAYMENT OF THE COSTS INCURRED BY THE PLAIN TOWNSHIP POLICE DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO, AS A RESULT OF CONTRACTS MADE WITH OTHER POLITICAL SUBDIVISIONS IN ORDER TO OBTAIN POLICE PROTECTION FOR THE PLAIN TOWNSHIP POLICE DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO.

#06-671

Motion by Mrs. Bossart,

WHEREAS, upon due investigation and consideration, the Board has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for the Plain Township Police 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 Police District for the purpose of the payment of the costs incurred by the Plain Township Police District, as a result on contracts made with other political subdivisions in order to obtain police protection for the Plain Township Police District, Plain Township, Stark County, Ohio, and that the question of replacing such tax should be submitted to the electors in said Plain Township Police District; in accordance with Sections 5705.19 and 5705.192 of the Revised Code; and

WHEREAS, pursuant to Sections 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 on May 8, 2007, the question of replacing a tax of two and one-quarter (2.25) mills outside the ten (10) mill limitation, which amounts to twenty-two and one half cents (22.5¢) for each one hundred dollars (100) of valuation, for a period of five (5) years, tax years 2007, 2008, 2009, 2010 and 2011 for the purpose of the payment of the costs incurred by the Plain Township Police District, as a result on contracts made with other political subdivisions in order to obtain police protection for the Plain Township Police District, Plain Township, Stark County, Ohio.

NOW, THEREFORE BE IT RESOLVED, by the Plain Township Board of Trustees that a copy of this Resolution shall be immediately 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 Police District and (b) the dollar amount of revenue that would be generated by the rate of 2.25 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.

ADMINISTRATOR: (continued)

b. 2.5 Renewal and Addition –

A RESOLUTION DECLARING IT NECESSARY TO SUBMIT THE QUESTION OF A RENEWAL AND ADDITIONAL TAX LEVY FOR THE PURPOSE OF THE PAYMENT OF THE COSTS INCURRED BY THE PLAIN TOWNSHIP POLICE DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO, AS A RESULT OF CONTRACTS MADE WITH OTHER POLITICAL SUBDIVISIONS IN ORDER TO OBTAIN POLICE PROTECTION FOR THE PLAIN TOWNSHIP POLICE DISTRICT, PLAIN TOWNSHIP, STARK COUNTY, OHIO.

#06-672

Motion by Mr. Leno,
WHEREAS, upon due investigation and consideration, the Board has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for the Plain Township Police 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 Police District for the purpose of the payment of the costs incurred by the Plain Township Police District, as a result on contracts made with other political subdivisions in order to obtain police protection for the Plain Township Police District, Plain Township, Stark County, Ohio, and that the question of replacing such tax should be submitted to the electors in said Plain Township Police District; in accordance with Sections 5705.19 and 5705.192 of the Revised Code; and
WHEREAS, pursuant to Sections 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 on May 8, 2007, the question of renewing a tax of two and one-quarter (2.25) mills outside the ten (10) mill limitation, which amounts to twenty-two and one half cents (\$0.225) for each one hundred dollars (100) of valuation, and an additional one-quarter (.25) mill, which amounts to one-quarter cent (\$0.0025) for each one hundred dollars (100) of valuation for a period of five (5) years, tax years 2007, 2008, 2009, 2010 and 2011 for the purpose of the payment of the costs incurred by the Plain Township Police District, as a result on contracts made with other political subdivisions in order to obtain police protection for the Plain Township Police District, Plain Township, Stark County, Ohio.
NOW, THEREFORE BE IT RESOLVED, by the Plain Township Board of Trustees that a copy of this Resolution shall be immediately 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 Police District and (b) the dollar amount of revenue that would be generated by the rate of 2.5 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. Giavasis.

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

ADMINISTRATOR: (continued)

6. Tax Abatement – Mrs. Sabina-Campbell went over the information from Mr. Dan Talarcek with regard to the possibility of obtaining a tax abatement on new construction of an 89-room hotel on Broadmoor Circle. The construction costs would be \$7.5 million. It would employ 30 jobs with an annual payroll of approximately \$500,000. The Board agreed that they are always looking for more jobs in Plain Township, and would certainly be willing to sit down and listen to these plans.

ROAD DEPARTMENT:

1. ODOT Route 43 Study – Mr. Iacino went over the ODOT meeting that he attended regarding the widening of Route 43. He said with enticement from himself they have agreed to go as far as the Kent/Mt. Pleasant split, due to the road crash statistics. He said this is two steps of a 14-step process and that it would be quite some time until this would actually come to fruition.

PARKS & RECREATION:

1. Sale of Indoor Soccer Turf – Mr. Alexander stated his concern about some rolled-up indoor turf stored at the facility. He did not feel that it would be needed for many, many years, due to the fine shape that the indoor soccer turf is in now, and he would like to entertain the thought of selling this to another entity, so that the money could be used for other upgrades within the building. The Board said that they would think about it, and they will discuss it a little more in the future.

COMMUNICATIONS:

1. Ohio Department of Transportation – states that Safe Route to School program applications begin on January 1, 2007.
2. Stark County Regional Planning Commission – regarding the change of the recycling office address and phone number as of January 1.
3. Stark County Regional Planning Commission – a change and updates to the subdivision regulations and an opportunity to request those changes.
4. First Christian Church –invitation regarding an open house and dedication service on January 14, 2007, at 3:00 p.m.

CONCERNS OF CITIZENS:

Phil Barr, of 1211 39th St. NE, from the Meadowlake Golf Club, was present to express his drainage concerns and continue his discussion on behalf of his father. He talked about the deterioration of the pipe, and also asked that the Board help in any way they could. The Board, after some discussion, said that they would contact FEMA to see if there is any possibility of FEMA helping out with the costs for the Barr family to update the culvert on this property.

CONCERNS OF CITIZENS: (continued)

Richard Abel, of 1831 Broad Ave. NW, lives next door to an empty lot where a house was burned, and was showing the Trustees pictures of a lot of decayed leaves and property that is not being kept up. Unfortunately, our zoning rules and regulations do not address the situation of leaves, only high grass. The Board agreed that they would have our Zoning Department place a phone call to the owner of the property, telling them that there are complaints and asking them to please be a good citizen and a good neighbor and take care of the property.

Tom Pieper, of 2810 River Run Circle, President of the Plain Township Historical Society, wanted to thank the staff and Trustees for their continued support. He also stated that what began as 12 members is now up to 75 members.

APPROVAL OF MINUTES:

#06-673 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 12, 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 December 12, 2006 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

EXECUTIVE SESSION:

#06-674 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 7:50 p.m. from this regular meeting of December 26, 2006 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of: employment of a public employee or official; compensation of a public employee or official; 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.

#06-675 Motion by Mrs. Bossart to return to regular session at 8:34 p.m.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ANNOUNCEMENTS:

#06-676 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to hire Julia Allshouse as part-time recreation supervisor at the Diamond Community Park at a rate of \$8.00 per hour with no benefits, effective January 22, 2007.
Seconded by Mr. Leno.
Discussion: She is just covering for someone who is out on maternity leave.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ANNOUNCEMENTS: (continued)

#06-677 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED that the Plain Township Board of Trustees,
 Stark County, Ohio, shall hire Charles Kegley as the Plain Township Central
 Maintenance Director at a salary of \$45,000.00 plus full benefits for a
 probationary period of 90 days starting December 29, 2006. After
 successful completion of this probationary period and of a background
 check, the salary for this position will be adjusted to \$48,000.00 plus full
 benefits.
 Seconded by Mr. Giavasis.
 Discussion: The Board said they look forward to working with him as
 coordinator of equipment in the various departments.
 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADJOURNMENT:

#06-678 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
 Stark County, Ohio to adjourn at 8:36 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