

2600 Easton St. NE
Canton, OH 44721

OPENING: The regular meeting was called to order at 7:00 p.m. by President Giavasis, 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, John Sabo (arrived at 7:40 p.m.), Todd A. Alexander, Chuck Kegley.
Media present: Cal Peters, WHBC; Natalie Lariccia, the Repository;
Betty O’Neill-Roderick, Akron Beacon Journal; Tony McCune, Observer Reporter.

AGENDA: The agenda was presented, the following items were added:
Central Maintenance # 2, Radiator Replacement.

SHERIFF'S REPORT:

1. Bellview Avenue NE – A signed letter from residents of the neighborhood regarding traffic concerns with the new stadium. The residents worried that there would be extra traffic cutting through the neighborhood and reckless driving. Those attending the meeting, including some of the Plain Township Trustees, also attended the Friday night football game and stated that they did not notice any nuisances. Mrs. Campbell pointed out that the letter was probably prepared in anticipation of a problem. Sergeant **Terry Curry from the Stark County Sheriff’s Department was present and stated that the Sheriff’s Department did receive a copy of this letter and has responded to all of the people in the neighborhood.**

NEW BUSINESS:

1. Plain Township Newsletter

#07-480 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 2, Fall 2007, of the Plain Township Newsletter by Pinnacle Press at a cost not to exceed \$6,500.00, to be paid from Fund #1000-4110-344-0000.
Seconded by Mr. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

FISCAL OFFICER’S REPORT:

#07-481 1. Pending Warrants

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 \$189,604.23 as attached hereto and made a part of these minutes.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes Mr. Giavasis, yes.

FISCAL OFFICER’S REPORT CONTINUED:

#07-482 2. Regular Payroll

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; Mrs. Bossart, yes; Mr. Giavasis, yes.

#07-483 3. Payment of Medical Claims

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>
8/24/2007	11415	\$35,979.40
8/28/2007	11416	\$9,489.36

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

4. The Financial Report was given. Mr. Shriver pointed out that
long-term investments actually have lower interest rates at this
time, and that he will go out short-term with better interest rates
to see how the economy may turn within the next six months.

#07-484 5. Transfer of Funds

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>
2111-4760-740-0000 Machinery & Equipment	2111-4220-420-3060 Supplies/Vehicle Parts	\$10,000.00

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

#07-485 6. Transfer of Funds for Schneider Bond Fund

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

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
1000-4910-910-0000 Operating Transfers out of General Fund	3101 – Schneider Bond Fund	\$225,575.00

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

ADMINISTRATOR:

- 1. Administration Vehicle -

Mrs. Campbell had discussion in regards to an Administration vehicle. Being fiscally responsible, she stated that she usually rides with other department heads to seminars or meetings **instead of driving the car. Since the Township's detective is** having maintenance problems with his vehicle, Mrs. Campbell feels that the Administration vehicle should be passed onto him. The Board agreed that this is the most fiscally responsible thing to do, costing Plain Township less money. Mr. Iacino pointed out that the insurance carrier should be notified to show that the car has been transferred to another department. Mrs. Campbell noted that she will remove the vehicle from the Administration inventory list.

FIRE DEPARTMENT:

- 1. Northwestern Ohio Flooding – Chief Sabo discussed that he was called into northwestern Ohio to help with the flood disaster.

ROAD DEPARTMENT:

- 1. Advertise for Bids – Brookhaven Storm Sewer

#07-486

Motion by Mr. Leno
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to direct the Plain Township Fiscal Officer to place an Advertisement for Bids for the BROOKHAVEN STORM SEWER PROJECT in a newspaper published in Stark County and of general circulation in the Township on August 31, 2007 and September 7, 2007, with bids to be received by 1:00 p.m. on September 21, 2007 and opened at 1:00 p.m. on September 21, 2007.
Seconded by Mrs. Bossart
Discussion: This project may not take place until October due to an error in the bidding process.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

- 2. Speed Zone Study – Diamond Street

#07-487

Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize M.E. Companies to perform the speed zone study for Diamond Street from Market Avenue to Middlebranch Avenue in the amount of \$1,250.00 from Fund #2141-4330-360-0000.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

- 3. Market Avenue – Mr. Iacino stated that he will meet with the engineers from the Ohio Department of Transportation to obtain more information about the project on Market Avenue.

ROAD DEPARTMENT: (continued)

4. Refund for Culvert Installation

#07-488

Motion by Mr. Leno

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to refund Matthew P. Define, 3356 Mehaffie Drive, NE, Canton, Ohio 44721 for monies received for culvert installation on March 9, 2007, Receipt #470645, in the amount of \$271.00.

Seconded by Mr. Giavasis

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

ZONING DEPARTMENT:

1. Nuisance Payments

a. 3301 Morris Avenue NE (junk vehicle)

#07-489

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3301 Morris Avenue NE (Parcel number #52-13375) to abate the nuisance on this property (Resolution #07-429) on July 24, 2007; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$42.25;

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 \$42.25 to be placed on the property owner's tax duplicate.

Seconded by Mr. Leno

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

b. 3301 Morris Avenue NE (high grass and debris)

#07-490

Motion by Mrs. Bossart

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3301 Morris Avenue NE (Parcel #52-13375) to abate the nuisance on this property (Resolution #07-428) on July 24, 2007; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$371.18; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$82.25;

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 \$453.43 to be placed on the property owner's tax duplicate.

Seconded by Mr. Giavasis

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

ZONING DEPARTMENT CONTINUED:

#07-491 c. 3040 33rd Street NE
Motion by Mr. Giavasis
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3040 33rd Street NE (Parcel #52-09995) to abate the nuisance on this property (Resolution #07-467) on August 14, 2007; and
WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$277.15; and
WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$215.00;
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 \$492.15 to be placed on the property owner's tax duplicate.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

2. Nuisance Abatements

#07-492 a. 4816 Orchardale Drive NW
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 4816 Orchardale Drive NW, Stark County, Ohio (Parcel # 52-07441) and
WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 14, 2007 and returned "Unable to Forward"; 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. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87, and
3. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. 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. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ZONING DEPARTMENT CONTINUED:

b. 2911 31st Street NE

#07-493

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 August 16, 2007 and returned "Unable to Forward"; 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. Trash and/or debris constitutes a nuisance under Ohio Revised Code Section 505.87, and
3. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
4. 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. Giavasis

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

PARKS & RECREATION:

1. The Storm Water Report was given; there were no questions.

7:30 P.M. BUDGET HEARING

Each department head discussed their budget. The Board will review each budget before the next meeting, when they will make a motion to send the budgets to the Budget Commission.

#07-494

Motion by Mr. Giavasis

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to continue the budget hearing on September 11, 2007.

Seconded by Mrs. Bossart

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

PARKS & RECREATION CONTINUED:

2. Pets That Have Style Event – Mr. Alexander discussed the turnout of the first ever Pets That Have Style event held at Alpine Community Park on Saturday, September 18, 2007. The event had an attendance of over one hundred people and over thirty dogs. Mr. Alexander wanted to thank the Plain Township Fire Department for their help. The event helped to raise over \$300.00 for the Stark County Humane Society. Due to the great turnout, the Plain Township Parks and Recreation Department will have the same event next year.

3. Plain Local Football Concession Agreement -

#07-495

Motion by Mr. Leno

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter an agreement with Plain Local Football to provide concessions at the Diamond Community Park, a copy of which agreement is attached hereto and made a part of the record.

Seconded by Mrs. Bossart

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

4. Plain Local Football Field Usage

#07-496

Motion by Mrs. Bossart

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the following exclusive rights to outdoor fields at Diamond Community Park:

- Plain Local Football will have exclusive rights to Fields A and B during the autumn season and will pay \$1,500.00 for field usage and athletic paint.

Seconded by Mr. Giavasis

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

CENTRAL MAINTENANCE:

#07-497

1. Skipco Auction: Obsolete Vehicles & Equipment – Mr. Kegely brought it to the attention of those present that the Township has several items that could go into the auction. Vehicles may be sold at \$125.00 each, which includes the cleaning fee, website ad fee, **and the seller's fee. There are other items at the Road Department** that could be sold, including chairs, tables, and old computers. The Township would only have to pay ten percent of the profit, and the cost of advertisement. The Board of Trustees granted Mr. Kegely permission to pursue this, and he will bring more information to the next meeting.

2. Radiator Replacement

Motion by Mrs. Bossart

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a new radiator for Road Department Unit #11 from Roma Radiator Specialties in the amount of \$965.00 from Fund #2031-4330-420-0000.

Seconded by Mr. Giavasis

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

COMMUNICATIONS:

1. Pro Football Hall of Fame – A letter to Mr. Iacino, thanking him for his help during the Hall of Fame festivities with keeping the roads clear.
2. Roy E. Barr – A letter to the Stark County Commissioner concerning **a culvert that was built by his family in the 1950's. Mr. Barr** is comparing the culvert to one in Cleveland that has recently collapsed, and is looking for the funds to replace it.

APPROVAL OF MINUTES:

#07-498 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 14, 2007 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 14, 2007 as presented.
Seconded by Mr. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

#07-499 Motion by Mr. Giavasis
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 August 20, 2007 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 August 20, 2007 as presented.
Seconded by Mr. Leno
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

#07-500 Motion by Mr. Giavasis
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:15 p.m. from this regular meeting of August 28, 2007 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;
A conference with the law director or other retained counsel concerning pending or imminent court action.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

#07-501 Motion by Mr. Giavasis to return to regular session at 9:30 p.m.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

#07-502 Motion by Mr. Giavasis
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adopt the attached job descriptions, effective immediately.
Seconded by Mrs. Bossart
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

#07-503 Motion by Mr. Giavasis
WHEREAS, Jamie Bowser, Administrative Secretary, will successfully complete a probationary period of 90 days as of August 29, 2007;
NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjust Jamie **Bowser's hourly pay rate to \$10.25**, effective August 29, 2007.
Seconded by
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

#07-504 Motion by Mr. Leno
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to amend Resolution #07-474 (passed August 14, 2007) to read as follows:
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to approve wages and salaries for non-contractual employees per the spreadsheet attached hereto, effective June 3, 2007.
Seconded by Mr. Giavasis
Discussion: Mrs. Bossart said that she was not in favor of this motion because she is unsure of what it will cost the Township. Mr. Giavasis stated that this always been done this way in the past. Due to negotiations and delays in the raises, they have been retroactive.
Vote: Mr. Leno, yes; Mrs. Bossart, no; Mr. Giavasis, yes.

ADJOURNMENT:

#07-505 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 9:32 p.m.
Seconded by Mr. Giavasis
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer