

2600 Easton St. NE
Canton, OH 44721

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WORK SESSION

The scheduled speaker was not able to make the meeting; however, there was a very good discussion regarding the fire station and pros and cons as to what the public may have. Mr. Giavasis pointed out that he had heard some negative comments **from the Men’s Club at Little Flower Catholic Church. They don’t understand what** we need a new fire station and more importantly, why it is going to be located where it is – just a short distance away from the one already on Easton. Chief Sabo went over various comments that could be made to rebuttal that situation in regard to the standards that have been set for the planning of the station. Mr. Shriver **suggested that an “in house” brochure be made answering these questions with** phone numbers so residents could call and further get questions answered with their concerns. The Board agreed and would look into making the brochure.

EXECUTIVE SESSION:

#08-186 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:28 p.m. from this regular meeting of May 13, 2008 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
1. (b) employment of a public employee or official
(f) compensation of a public employee or official
3. a conference with the law director or other retained counsel concerning pending or imminent court action
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#08-187 Motion was made by Mrs. Bossart to return to public session at 6:56 p.m.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#08-188 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Heather Madison as part-time Zoning help in the Zoning Department not to exceed 15 hours per week at a rate of \$8.50 per hour with no benefits effective May 14, 2008.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

#08-189 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio after successful completion of her 90 **day probation period, Teresa Santora’s rate of pay be increased** from \$12.50 per hour to \$13.25 per hour.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

#08-190 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Matthew Holt as a part-time Concession Stand employee for the Park & Recreation Department at a rate of \$7.00 per hour with no benefits effective May 14, 2008.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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, Todd A. Alexander, Chuck Kegley and Steve Peroz. Chief Sabo was at a fire conference.

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Media present: Natalie Lariccia, the Repository, Cal Peters with WHBC and **Betty O’Neil**-Roderick, Akron Beacon Journal.

AGENDA: The Agenda was presented. Added to the Agenda under Sheriff #2 was Sugarbush Kennels; Unfinished Business #1 – Diamond Street Barn and Road Department #6 – 20th Street Speed Zone. The Agenda was accepted.

SHERIFF’S REPORT:

1. 5677 Wiclif – area where kids are working on cars with no supervision; hang out area for high school kids. The Sheriff will look into this.
2. Sugarbush Kennels – Attorney Dean Dahl was present representing Mr. Phillips a neighbor of Sugarbush Kennels who is having to go into the hospital for back surgery and is awoken numerous hours during the day with barking dogs from Sugarbush Kennels. The new owner has enlarged the pens and taken boards off windows that have been closed up. James Schrader, another neighbor was present also. Mr. Leno also said that on Sundays he can hear the dogs barking. Candy Ziegler of Nottingham Village also noted that she had dog problems at 2100 Schneider Street. Mr. Williams will get with Mr. Dahl on some existing legal matters with regards to this. Although it is a conditional use from years ago, **he doesn’t want** to see Sugarbush Kennels shut down, but he would like to see something done for the people in the adjoining area to enjoy the peace and tranquility of their neighborhood.

UNFINISHED BUSINESS:

1. Diamond Street Barn – Mr. Tom Morgan of 411 12th Street NE was present to discuss a bi-centennial logo to be placed on the barn on Diamond Street. He had done several of the murals on the buildings in downtown Canton. Mr. Leno said that he was aware of this possibility. The barn does need painted. Tom Culp may have a group of people who would be interested in painting the building first. Mr. Morgan said it would have to be done professionally. GlenOak High School at this time is working on a logo. Todd Alexander and Mr. Leno will be meeting with a contractor within the next week to get ideas for painting the barn.

NEW BUSINESS:

1. Safety Resource Officer - Placed on hold
2. Underground Petroleum Storage Tanks
#08-191 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of underground storage tank fees to the State of Ohio UST Fund in the amount of \$3,200.00 to be paid as follows: \$800.00 from 1000-4110-599-0000; \$800.00 from 2031-4330-599-0000; and \$1,600.00 from 2111-4220-599-0000.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
3. 25th Street Storm Sewer Project 2008 – Mrs. Campbell went over this project and said all three copies of the agreement including Exhibit A and the resolution needed to be signed by the Board.
4. False Alarms
#08-192 Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees has authorized charges for false alarms 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 (Resolution #06-568) in the following amounts: for the fourth

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false alarm...\$50.00; for the fifth false alarm...\$100.00; for all false alarms in any calendar year occurring after the fifth false alarm...\$150.00; 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	#	AMOUNT
BP Procure	5020 Whipple Ave	4,5	\$150.00
Schumacher Homes	2715 Wise Avenue	4	\$ 50.00
Diebold Computers	2100 38 th Street	6,7	\$300.00
Township News & Books	4445 Cleveland Ave	6	\$ 150.00

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 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 lien upon the real estate in the above-stated amount.

BE IT FURTHER RESOLVED that if payment is not made within 30 days, or just cause shown, then the Fiscal Officer shall cause the above-stated amounts 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's General Fund.**

Seconded by Mr. Giavasis.

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

#08-193

5. Phase II Stormwater Inspections & Monitoring

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of \$5,501.50 to the Stark County Health Department for the first payment of Phase II Stormwater inspections and monitoring to be paid from fund #1000-4420-370-6205.

Seconded by Mr. Leno.

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

#08-194

6. Right of Way – Applegrove

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of \$36,636.16 to the Stark County Engineers for their share of the escrow on the Applegrove Street Widening Project as agreed on February 26, 2002 in Resolution #02-097 and amended on October 14, 2003 in Resolution #03-537.

Seconded by Mrs. Bossart.

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

FISCAL OFFICER'S REPORT:

#08-195

Pending Warrants

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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 \$1,044,788.35 as attached hereto and made a part of
these minutes.

Seconded by Mrs. Bossart.

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

#08-196

Regular Payroll –

Motion by Mr. Giavasis,
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 \$220,000.00.

Seconded by Mrs. Bossart.

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

#08-197

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>
04/29/2008	13177	\$30,531.88
05/06/2008	13181	9,040.35
05/13/2008	13188	10,414.36

Seconded by Mr. Leno.

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

4. The financial report was given. It was accepted by the Board with
no questions.

5. Section 125 Compliance – 2008

#08-198

Motion by Mr. Leno,
WHEREAS, the Plain Township Board of Trustees entered into
an agreement with AultCare Corporation, located at 2600 Sixth
Street SW, Canton, Ohio to provide medical coverage for Plain
Township employees since June 1993 (Resolution #93-318);
WHEREAS, the Plain Township Board of Trustees entered into
an agreement with AultCare Corporation **for AultCare's 90%**
Purchasing Plan I Schedule of Benefits effective April 1, 2006
(Resolution #06-155);
WHEREAS, the Plain Township Board of Trustees resolved
that each insured employee shall contribute towards the cost of
the medical insurance beginning April 1, 2006 (Resolution
#06-155);

WHEREAS, the Plain Township Board of Trustees adopted a
Section 125 Premium Only Plan effective April 1, 2006
(Resolution 06-185 dated April 11, 2006);

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain
Township Board of Trustees, Stark County, Ohio that the form
of Amended Section 125 Premium Only Plan effective June 1,
2008 to May 31, 2009 presented at this meeting is hereby
approved and adopted and that the proper officers of the
Employer are hereby authorized and directed to execute and
deliver to the Administrator of the Plan one or more
counterparts of the Plan.

RESOLVED, that the Administrator shall be instructed to take
such actions that are deemed necessary and proper in order to
implement the Plan, and to set up adequate accounting and
administrative procedures to provide benefits under the Plan.

RESOLVED, that the proper officers of the Employer shall act as
soon as possible to notify the employees of the Employer of the
adoption of the Cafeteria Plan by delivering to each employee a

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copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

Seconded by Mr. Leno.

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

#08-199

6. EMS Refunds
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize a refund as follows for overpayments for Emergency Medical Services as requested by Ohio Billing; Inc.:

<u>Payable to</u>	<u>Amount</u>
Janet A. Argyle	\$ 75.00
Richard Moody	\$ 75.00
United Healthcare (for Dana Smith)	\$525.00

Seconded by Mrs. Bossart.

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

#08-200

7. Schneider Bond Payoff
Motion by Mr. Giavasis,
WHEREAS, the Plain Township Board of Trustees passed Resolution 06-457 (August 22, 2006) approving the purchase of property on Schneider Street and the issuance of bonds for a portion of the costs;
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment for the balance of the principal and interest payment due KeyBank in the total amount of \$818,574.16 due on June 1, 2008.

Seconded by Mr. Leno.

Discussion: It was noted that this Bond was paid off three years early.

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

ADMINISTRATOR:

1. Stormwater Report - Mrs. Campbell **went over this month's** report on what you can do in your home to help our lakes, streams and rivers. Use pesticides, herbicides and fertilizers carefully. There was discussion on grass clippings going down the sewers which is not legal. Mr. Iacino said this is a problem right now and who would enforce it.

FIRE DEPARTMENT:

1. Monthly Report was given.
2. Purchase of Fuel
#08-201
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 \$20,000.00 to be taken from Account #2111-4220-420-3070.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
3. Purchase of Helments
#08-202
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of fire helmets from Firehouse in an amount not to exceed \$13,000.00 to be taken from account #2111-4220-420-3100.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
4. Purchase of CPAP Equipment
#08-203
Motion by Mr. Leno,

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BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of three (3) Emergent PortO2vent CPAP Oxygen Delivery Machines from Emergency Medical Products, Inc. in an amount not to exceed \$4,500.00 to be taken from Account #2281-4230-420-0000.

Seconded by Mrs. Bossart.

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

#08-204

5. Nuisance Abatement – 4240 Lesh Street NE

Motion by Mrs. Bossart,

WHEREAS, ORC505.86 authorizes the Plain Township Board of Trustees, Stark County, Ohio to provide for the removal, repair, or securance of buildings or other structures that have been declared insecure, unsafe, or structurally defective or unfit for human habitation; and

WHEREAS, a written report has been prepared and presented to the Board by the Fire Inspector as a result of a complaint;

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

1. The conditions inside the structure at 4240 Lesh Street N.W., Plain Township, Stark County, Ohio, Parcel #52-15952, constitute an unsafe and hazardous condition pursuant to ORC 505.86.
2. The conditions are such that they constitute an emergency.
3. The conditions shall be remedied by Plain Township pursuant to the procedures outlined in ORC 505.86.
4. The Township Fiscal Officer shall certify the total cost of such remedies to the County Auditor and have them applied to the tax duplicate of the above state property.
5. Notices of this decision will be provided to the property owners and any holders of liens of record therein.

Seconded by Mr. Giavasis.

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

#08-205

6. **Ohio Fire Chief's Conference**

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the attendance for Chief **Sabo to attend the Ohio Fire Chief's Conference in Sandusky, Ohio from July 17, 2008 to July 23, 2008** for lodging, registration, mileage, meals, parking, etc. in an amount not to exceed \$1,500.00 to be taken from Account #2111-4220-318-0000.

Seconded by Mr. Giavasis.

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

ROAD DEPARTMENT:

#08-206

1. Monthly Report was given.
2. Purchase of Fuel

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchae of gasoline, oil, and diesel fuel at a cost not to exceed \$15,000.00 from Fund 2021-4330-420-3070.

Seconded by Mrs. Bossart.

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

#08-207

3. Curb Asphalt

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Highway Superintendent to increase pricing of installation of

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- #08-208 asphalt curb to \$1.10 per foot.
 Secoded by Mr. Leno.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

4. Purchase of Compressor
 Motion by Mr. Leno,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a 2008 Sullair 185 Portable Air Compressor from Southeastern Equipment in the amount of \$10,765.00 from Fund #2031-4330-740-0000.
 Secoded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #08-209 5. **Installation of “No Dumping” Signs**
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the installation of a “No Dumping by order of Plain Township Trustees” sign at the empty lot on the East side of Woodcrest Avenue NE.
 Secoded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

6. 20th Street Speed Zone – This is at 20th Street and Koran. Both Mr. Iacinao and Mr. Leno viewed the area. Part of the street is marked 25 mph and part is marked 40 mph. After discussion Mr. Iacino will check with the County to see what could be done to place to possibly placing a 25 mph sign underneath our intersection sign or looking into the cost of a speed zone study. He will get back to the Board at the next meeting.

ZONING DEPARTMENT:

- #08-210 1. The monthly report was given.
 2. Nuisance Abatements
 a) 3755 Ashwood Street NW
 Motion by Mrs. Bossart,
 WHEREAS, a public hearing was held on May 13, 2008 by the Board of Trustees regarding the property conditions at 3755 Ashwood Street NW, Stark County, Ohio (Parcel # 52-06201) and
 WHEREAS, Bryan Smith, has failed to demonstrate satisfactory progress in correcting the violations at the above property; and
 WHEREAS, the Plain Township Board of Trustees has provided the owner(s) of the property with notice and opportunity to be heard on this matter;
 NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that:
 1. High grass and/or weeds constitutes a nuisance under Ohio Revised Code Section 505.87 and
 2. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
 3. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.
 Secoded by Mr. Leno.
 Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-211 b) 2446 Cathy Drive NE
 Motion by Mrs. Bossart,
 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

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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 2446 Cathy Drive NE, Stark County, Ohio (Parcel # 52-07395) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 6, 2008 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. 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. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

#08-212

c) 1105 Deborah Street NW

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on May 13, 2008 by the Board of Trustees regarding the property conditions at 1105 Deborah Street NW, Stark County, Ohio (Parcel # 52-03043) and

WHEREAS, Thelma Campbell, has failed to demonstrate satisfactory progress in correcting the violations at the above property; and

WHEREAS, the Plain Township Board of Trustees has provided the owner(s) of the property with notice and opportunity to be heard on this matter;

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

1. High grass and/or weeds constitutes a nuisance under Ohio Revised Code Section 505.87 and
2. The nuisance shall be abated, controlled, or removed according to the procedures outlined in ORC Section 505.87, and
3. Notice of this decision will be provided to the property owners and any holders of liens of record thereon.

Seconded by Mr. Leno

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

#08-213

d) 2748 Englewood Drive NE

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 2748 Englewood Drive NE, Stark County, Ohio (Parcel # 52-02537) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 5, 2008 and returned "Unable to Forward"; and

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

#08-214

e) 4108 Martindale Road NE

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 4108 Martindale Road NE, Stark County, Ohio (Parcel # 52-05001) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 6, 2008 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. Leno.

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

#08-215

f) 919 Milford Street NE

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 919 Milford Street NE, Stark County, Ohio (Parcel # 52-15936) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director

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was sent May 2, 2008 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. 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. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

#08-216

g) 3301 Morris Avenue NE
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 3301 Morris Avenue NE, Stark County, Ohio (Parcel # 52-13375) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 6, 2008 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. 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. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

#08-217

h) 317 Oakpark Street 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 317 Oakpark Street NW, Stark County, Ohio (Parcel # 52-07294) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 5, 2008 and returned "Unable to Forward"; and WHEREAS, the Zoning Director has provided evidence of a

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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. Leno.

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

#08-218 i)

719 Spangler Street NW
Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on May 13, 2008 by the Board of Trustees regarding the property conditions at 719 Spangler Street NE, Stark County, Ohio (Parcel # 52-03045) and WHEREAS, Mark & Raynah Abbuhl, 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. 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

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

#08-219 k)

2807 31st Street NE

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 2807 31st Street NE, Stark County, Ohio (Parcel # 52-08632) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent May 1, 2008 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

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

#08-220

- 1) 2914 33rd Street NE
Motion by Mrs. Bossart,
WHEREAS, a public hearing was held on May 13, 2008 by the Board of Trustees regarding the property conditions at 2914 33rd Street NE, Stark County, Ohio (Parcel # 52-08028) and
WHEREAS, Mark & Jill Smith, 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. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

#08-221

- 3. Model Zoning Amendments – Mr. Peroz presented information on model zoning amendments that could be used as foundation in developing regulations of the use of small wind energy systems.
- 4. Waive Payment of Zoning Fees – Plain Local High School Concession Stand

Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to waive the payment of any and all zoning fees in the amount of \$538.73 necessary for the construction of the new Plain Local High School/Concession Stand/Restrooms on the property at 1801 Schneider Street NE.
Seconded by Mr. Giavasis.

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

- 5. Notice of Public Hearing – The Board of Zoning Appeals will meet on June 4, 2008 at 7 pm to hear an appeal to build a garage at 3410 Overhill Drive NW.

PARKS & RECREATION:

- 1. The monthly report was given.
- 2. Ohio Parks & Recreation Association Connection – Mr. Alexander shared with the Board an article that was in the spring 2008 issue of this magazine that featured an article mentioning Plain Township Park and Recreation Department’s tennis program.
- 3. Concessions – Detailed discussion was held on the concessions and the percentage that would be shared with the Plain Township Soccer Booster Club. Mr. Alexander said the cooperation within the last few weeks has been better than in the past due to a

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meeting they had. They seem to be working well together. He also pointed out the concessions do require two employees – one to run the cash register and one to make the decisions. Mr. Giavasis asked various questions. One in finding there are three volunteers total there for four hours – two shifts – three for the first two hours and three for the second two hours but never more than three volunteers. Mrs. Bossart pointed out that one of the things that need to be decided is what the percentage will be in the future. However, she said that possibly right now they would be willing to 75% to the Club. After detailed discussion it was decided that the club would receive 50% of the Saturday window for which they work. Mr. Williams will put together an agreement and this will be subject to change next season.

LAW DIRECTOR:

No Report.

CENTRAL MAINTENANCE:

1. Monthly Report was given.
2. Plain Township Auction – Mr. Kegley reminded the Board the auction will be held on Saturday, May 17, 2008.

COMMUNICATIONS:

1. Joan Gum – A thank you note to the Board for Mr. Leno and Mr. Giavasis going to her home to verify the noise coming from Edgewood.
2. Ohio Department of Transportation – information on **“Transportation Conversation” website to determine the type** of transportation system the state needs in the future.
3. Stark County Sheriff – offering to volunteer to serve on the Bicentennial Celebration committee.
4. Stark State College of Technology – a Thank You of the donation of a van to the fire program.
5. Stark County Commissioners – CDBG grant program information for the years 2009, 2010 and 2011.
6. SCRPC/SCATS – information on a Pavement Condition Ratings program for highway superintendents which Mr. Iacino will be attending.

APPROVAL OF MINUTES:

1. April 22, 2008
#08-222 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 April 22, 2008 and make them 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 April 22, 2008 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

ADJOURNMENT:

- #08-223 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 8:34 p.m.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Claude W. Shriver, II
Fiscal Officer