

2600 Easton St. NE
Canton, OH 44721

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, John Sabo, Joseph Iacino, Lisa Campbell, Todd A. Alexander, Chuck Kegley, Steve Peroz and JoEllen Reikowski. Mr. Shriver was on vacation. Media present: Natalie Lariccia, the Repository and **Betty O'Neil**-Roderick, Akron Beacon Journal.

FISCAL OFFICER PRO TEM:

#08-326 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint JoEllen Reikowski as Fiscal Officer Pro Tem.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

AGENDA: Removed from the Agenda – Road #7 – Drainage at 2211 Broad Avenue; Added to Parks - #5 NEFCO. The Agenda was accepted.

SHERIFF'S REPORT:

No Report

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- 1. 2009 Infrastructure Application Notification – The District 19 Public Works Integrating Committee announced infrastructure funding applications are due by August 29, 2008. Mrs. Campbell said she and Mr. Iacino will meet to resubmit the Lindford project.

FISCAL OFFICER'S REPORT:

#08-327 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 \$262,244.89 as attached hereto and made a part of these minutes.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

#08-328 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 \$220,000.00.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

#08-329 3. Payment of Medical Claims –
Motion by Mr. Giavasis,
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>
07/02/2008	13592	\$22,124.35
07/08/2008	13593	6,684.47

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

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- 4. The financial report for June 2008 was given. It was accepted by the Board with no questions.
 - 5. EMS Refund
- #08-330 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize a refund as follows for overpayment for Emergency Medical Services as requested by Ohio Billing, Inc.:

<u>PAYABLE TO</u>	<u>AMOUNT</u>
Aultcare (for Kelle McCracken)	\$670.00

- Seconded by Mr. Leno.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- 6. Set Budget Hearing
- #08-331 Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to set a public hearing for the 2009 Plain Township Budget on July 22, 2008 at 7:30 p.m. and to further authorize the Plain Township Fiscal Officer to publish a notice of the Public Hearing in the Repository at least ten days prior to the hearing.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

- 6. Amended Certificate & Appropriations
- #08-256 Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Fiscal Officer to request an Additional Amended Certificate of Estimated Resources from the Stark County Auditor for additional revenue of \$236,350.48 representing the carryover encumbrances from 2007 as follows:

1000 – General Fund	\$ 6,975.22
2021 – Gasoline Tax Fund	105,647.20
2031 – Road & Bridge Fund	18,652.30
2111 – Fire District	76,197.14
2141 – Road District	9,142.21
2181 – Zoning	139.00
2281 – Ambulance & EMS Fund	5,201.27
2901 – Misc – Diamond Park	321.14
2902 – Trust Deposits	14,075.00

AND BE IT HEREBY FURTHER RESOLVED, by the Plain Township Board of Trustees, upon certification by the Stark County Auditor to appropriate these funds as follows:

1000-4110-312-0000 – Auditing Services	\$ 1,276.62
1000-4110-319-0000 – Bank Service Charges	200.00
1000-4110-430-0000 – Sm Tools & Equip - Adm	1,285.70
1000-4110-599-0000 – Other Expenses	300.00
1000-4120-420-3080 – Maintenance Supplies	-87.10
1000-4390-317-0000 – Engineer Consultants	4,000.00
2021-4330-420-0000 – Materials	20,535.97
2021-4330-740-0000 – Tools & Equipment	85,111.23
2031-4330-420-0000 – Operating Supplies	2,265.85
2031-4330-420-3050 – Snow Equipment Parts	3,224.85
2031-4330-599-0000 – Other Expenses	998.73
2031-4330-740-0000 – Machinery & Equipment	771.42
2031-4330-790-0000 – Contracts	11,391.45
2111-4220-323-0000 – Repairs & Maintenance	900.00
2111-4220-323-5040 – Repairs & Maintenance – Veh	416.50
2111-4220-420-0000 – Operating Supplies	200.00
2111-4220-420-3110 – Supplies – Uniform Allowance	556.75

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2111-4220-599-0000 – Other Expenses	138.75
2111-4760-740-0000 – Machinery, Equip & Furn	73,985.14
2141-4330-360-0000 – Contracts	
4,384.52	
2141-4330-420-4020 – Materials – Construction	3,990.50
2141-4330-420-4040 – Materials – Asphalt	174.40
2141-4330-420-4050 – Materials – Signs	592.79
2181-4130-599-0000 – Other Expenses	139.00
2281-4230-370-6310 – Contract – EMS Billing	915.00
2281-4230-420-0000 – Operating Supplies	465.58
2281-4230-599-0000 – Other Expenses	
50.00	
2281-4230-740-0000 – Tools & Equipment	3,770.69
2901-4610-360-0000 – Contracts – Referees	64.00
2901-4610-740-0000 – Machinery & Equipment	257.14
2902-4990-599-0000 – Payouts–Deposits Ret	14,075.00

Seconded by Mrs. Bossart.

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

ADMINISTRATOR:

1. Stormwater Report – Mrs. Campbell **announced a “Rain Barrel Workshop” will be held at the Plain Township Hall** on Thursday, July 17, 2008 from 9 a.m. to 10 a.m. and is opened to the public. She said participants will learn how to assemble, install and maintain rain barrels.

FIRE DEPARTMENT:

1. Monthly report - presented to the Board
2. Purchase of Hose
#08-333
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of 2,000 feet of Nitrile Covered Rubber Hose from Finley Fire Equipment in an amount not to exceed \$11,000.00 to be taken from Account #2111-4760-740-0000.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
3. Demolition of 4240 Lesh Road Property
#08-334
Motion by Mr. Leno,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize DeSantis Enterprises to demolish the property pursuant to the attached correspondence at 4240 Lesh Road (Parcel #52-15952) in an amount not to exceed \$2,600.00 to be taken from Fund #1000-4490-599-7010.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
4. Amend Resolution #08-260 (Safety City)
#08-335
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to amend Resolution #08-260 to authorize the purchase from ASAP in the amount of \$955.19.
Seconded by Mr. Leno.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
5. Fire Act Grant – Chief Sabo informed the Board, as part of the FEMA Assistance to Firefighter Grant Program, he applied and was granted an amendment to use excess funds to purchase carbon monoxide detector/smoke alarms to be used in the Fire Prevention program. These will be distributed to mobile home parks and senior citizens within Plain Township.

ROAD DEPARTMENT:

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- #08-336
 - 1. Monthly Report – was presented to the Board.
 - 2. **Temporary “No Parking”** – Hall of Fame
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the posting of **temporary “No Parking” signs on both sides on the following streets:** 17th Street between Broad and Lakeside; Broad Avenue NW from Fulton Road NW to 17th Street NW; Clarendon Avenue NW from the city limits to Fulton Road NW; Clearview Avenue NW from the city limits to Fulton Road NW; Blake Avenue from the city limits to Fulton Road NW; Barr Avenue NW from the city limits to Fulton Road NW; all of Woodward Place NW; 25th Street NW from Clarendon Avenue NW to Broad Avenue NW; 21st Street NW from Blake Avenue NW to Broad Avenue NW; 19th Street NW from Broad Avenue NW to the Stadium and 17th Street NW from Broad Avenue to the parking lot. **The above “No Parking” signs** will be posted on August 1st, 2008 and removed August 5, 2008. Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #08-337
 - 3. Stark County Engineer Co-Operative Purchasing Salt Program
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to participate in the Stark County Engineer Co-Operative Purchasing Salt Program for 2008-2009 season at \$40.95/a ton dumped with Cargill, Inc. Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
 - 4. Transfer of Roadways – Wicker Creek – a letter from the Stark County Board of Commissioners approving the transfer of roadways in Wicker Creek to Plain Township.
 - 5. Yard Waste Recycling – Earth & Wood has informed Mr. Iacino tires, glass bottles, etc has been found in with the yard waste dumpsters that are unattended. Mr. Iacino suggested the Board might want to consider the installation of video surveillance and recording devices to deter people from dumping non-recyclable items.
- #08-338
 - 6. Purchase of Truck Equipment
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of plows, spreaders, beds for 3 new dump trucks and other equipment from Gledhill Road Machinery in the amount of \$122,710.02 from funds #2021-4330-740-0000, #2031-4330-740-0000 and #2141-4330-740-0000.
Seconded by Mr. Giasvais.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ZONING DEPARTMENT:

- #08-339
 - 1. Monthly Report – presented to the Board
 - 2. Nuisance Payments
 - a) 3824 Harrison Avenue NW
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3824 Harrison Avenue NW (Parcel #52-16512) to abate the nuisance on this property (Resolution #08-277) on June 10, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$267.25; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$90.20;

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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 \$357.45 to be placed on the **property owner's tax duplicate.**

Seconded by Mr. Giavasis.

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

#08-340

b) 3220 Middlebranch Avenue NW

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3220 Middlebranch Avenue NE (Parcel #52-15408) to abate the nuisance on this property (Resolution #08-278) on June 10, 2008; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$287.95;

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 \$287.95 to be placed on the **property owner's tax duplicate.**

Seconded by Mr. Giavasis.

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

#08-341

c) 3300 Middlebranch Avenue NE

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3300 Middlebranch Avenue NE (Parcel #52-07896) to abate the nuisance on this property (Resolution #08-279) on June 10, 2008; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$224.89; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$239.55;

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 \$464.44 to be placed on the **property owner's tax duplicate.**

Seconded by Mr. Giavasis.

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

#08-342

d) 3308 Middlebranch Avenue NE

Motion by Mrs. Bossart,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 3308 Middlebranch Avenue NE (Parcel #52-02821) to abate the nuisance on this property (Resolution #08-280) on June 10, 2008; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$254.49; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$223.93;

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

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- Nuisance certifying the total cost of \$478.42 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-343 e) 4306 Vinal Avenue NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 4306 Vinal Avenue NE (Parcel #52-08999) to abate the nuisance on this property (Resolution #08-281) on June 10, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$327.38; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$226.23; 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 \$553.61 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-344 f) 2315 26th Street NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2315 26th Street NE (Parcel #52-03509) to abate the nuisance on this property (Resolution #08-282) on June 10, 2008; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$271.45; 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 \$271.45 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-345 g) 2702 31st Street NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 2702 31st Street NE (Parcel #52-07138) to abate the nuisance on this property (Resolution #08-283) on June 10, 2008; and WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$426.23; and WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$94.10; 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 \$520.33 to be placed on the **property owner's tax duplicate**.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-346 h) Vacant Lot #32 on 34th Street NE
Motion by Mrs. Bossart,
WHEREAS, the Plain Township Board of Trustees, Stark

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County, Ohio has given notice to the owner of property located at Vacant Lot #32 on 34th Street NE (Parcel #52-04102) to abate the nuisance on this property (Resolution #08-284) on June 10, 2008; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$231.13; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$204.95;

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 \$436.08 to be placed on the **property owner's tax duplicate**.

Seconded by Mr. Giavasis.

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

#08-347

- 3. Nuisance Abatements
- a) 2446 Cathy 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 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 June 25, 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**.

#08-348

- b) 809 Grove 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 809 Grove Street NE, Stark County, Ohio (Parcel # 52-03223); and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent June 24, 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.

Discussion: Mr. Giavasis reported this property has been moved and can be removed. It was decided to keep it on the agenda and follow the usual procedure with the Zoning Director checking the property before action is taken.

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

#08-349

c)

3107 33rd Street NE

Motion by Mrs. Bossart,

WHEREAS, a public hearing was held on June 25, 2008 by the Board of Trustees regarding the property conditions at 3107 33rd Street NE, Stark County, Ohio (Parcel #52-06963) and

WHEREAS, US Department of HUD 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**.

PARKS & RECREATION:

1. Monthly Report – presented to the Board.
2. Sports Monster

#08-350

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize use of the following Township Park fields and facilities at the listed fees effective July 1, 2008 through July 1, 2009 upon the Parks and Recreation **Director’s approval.**

Seconded by Mrs. Bossart.

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

3. Senior Programs – Mr. Alexander presented information on programs for community senior citizens that will be held during the next few months to the Board saying that there has been a good response. He asked the Board if they would be willing to do the program on October 16th. Mrs. Bossart offered to be a featured speaker.
4. Coca Cola Rebate

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#08-351

Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize Todd Alexander to enter into the attached rebate agreement with Coca Cola Enterprises Bottler.

Seconded by Mrs. Bossart.

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

- 5. NEFCO – Mr. Alexander told the Board about a DVD to be produced and distributed in Stark County featuring several of Plain Township’s **programs** as an example of what can be done for water control; such as our creek clean-ups and stenciling storm sewer grates. Kent State University will do the photography. Mrs. Campbell thought maybe this could also be used for the educational component for the NPDES requirements.

LAW DIRECTOR:

- 1. Annexation – The First Tee of Canton, Inc. – Mr. Williams said this annexation to the City of Canton was approved over our objections.

CENTRAL MAINTENANCE:

- 1. Monthly Report – presented to Board.

COMMUNICATIONS:

None

CONCERNS OF CITIZENS:

- 1. Fred Mayle – Mr. Mayle issued several nuisance complaints about properties near him and was present along with his daughter, Dara Mayle. A violation letter will be sent to the owners of property at 2525 Martha Avenue NE; there is no violation currently at 2541 Martha but the Township will keep an eye on it; the property owner at 2529 Maxine will be contacted to move the lumber and the owner of 2520 Morris Avenue NW was contacted to remove the lawn tractors.
- 2. Denise Sokolowski & Mark Gillis – 3906 Linda Avenue NW– were present to relate continuing problems with neighbors regarding their dogs and puppies. They said the Sheriff is called each time they leave their home for even 20 minutes even when they leave the dogs in the house and garage. Mrs. Bossart said when the Sheriff responds to complaints they will observe and listen for about 20 minutes and have never issued tickets for dogs barking when confined within the home or garage. The dogs are outside where they can be seen. She also said you can not make your neighbors be good neighbors. The Sheriff has provided the residents with information on mediation and the Board said the only solution would be for them to follow through with it.

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3. David Crowder – 1665 Markley Street - Mr. Crowder was present to address statements made at the last meeting by Susan and Doug Kampfer stating the Board got one side of a two-part story feeling their statements affects the whole neighborhood. He asked other neighbors to attend and present their views. The following presented their comments:
 - A. Debra Miller of 1671 Markely NW – sent an email made a part of these minutes stating that they do not feel there is unreasonable noise issues.
 - B. Stark Soil & Water Conservation District – a site inspection report was presented and made a part of the minutes verifying compliance with water quality regulations and EPA NPDES General Construction Permit at the current time.
 - C. Fred Shaheen – 1722 Applegrove who has property adjacent to Mr. Crowder, stated since Mr. Crowder cleaned the creek his property has not flooded and Mr. Crowder has done what he said he would do when he purchased the property.
 - D. Jeff Flenniken – 1702 Markley Street NW – supports Mr. Crowder and feels there is no nuisance or noise issues.
 - E. Chris Rothwell – 1727 Applegrove NW – enjoys fishing with his daughter at the creek and ponds and said if there was much noise, they would not catch the fish they do.
 - F. Larry Humbert – 1514 Applegrove – has property next to Mr. Crowder and shares the same creek. He was present to give support.
 - G. Dave Garber – 1690 Applegrove – has 2 acres next to Dave and Fred and since the creek behind his property has been cleaned he has had no flooding and has been able to use his Florida room.

Mr. Crowder agreed that this is not a township issue and he appreciates the Board listening. He originally thought he could build a simple driveway but because of complaints filed with the Army Corps of Engineers, he was required to get a NPDES permit which has been very costly. Currently, trucks are dumping fill dirt and leveling it off. Mr. Leno asked for a time frame when this would be finished. Mr. Crowder said that when the Applegrove project is completed but said he does have 33 acres and will have constant on-going projects such as building a barn, mowing and farming his fields.

4. Carl Ruble – 2965 St. Elmo NE – asked if employees of the gas station on the corner of St. Elmo and Rt 62 were permitted to park on the street. He felt it created a sight hazard. Mr. Peroz said that the business at that location is legal but he is sending them a letter as 15 parking spaces are needed for each of the two businesses he is operating at that location. The employees are allowed to park on the street.
5. Doug Kampfer – 1601 Steiner NW – stated he listened to David Crowder's **comments but feels that equipment running after 5 pm is a violation**. He said the wind carries the noise and questioned the time period for the project. He was told the NPDES permit covers a 5 year period. Mrs. Bossart said this is **a neighborhood dispute as the Township's noise nuisance has not been broken and suggested mediation**. Mr. Crowder said he would like to go on record as being willing to agree to this. Mr. Kampfer said he would think about it.

CONCERNS OF TRUSTEES:

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1. **“Powerchairs in Parks”** – Mr. Giavasis said he has received reports of two gentlemen in motorized wheelchairs at our parks and other places in the Township asking residents to sign a petition for Plain Township to become a city stating that Mr. Giavasis is supporting this. He wants to go on record saying this is not the case – he is not supporting this petition and he wants to remain neutral in the matter.

APPROVAL OF MINUTES:

1. June 24, 2008
#08-352 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 June 24, 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 June 24, 2008 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.
2. July 1, 2008
#08-353 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 July 1, 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 special meeting held July 1, 2008 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #08-354 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:58 p.m. from this regular meeting of July 8, 2008 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:
- 1.(a) appointment of a public employee or official
 - (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.
- #08-355 Motion was made by Mrs. Bossart to return to public session at 9:42 p.m.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

1. Dennis Allman
#08-356 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the disability retirement of Dennis Allamn, Road Supervising Foreman effective May 30, 2008.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
2. Paul Birk
#08-357 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hire Paul Birk to the position of Supervising Foreman in the Road Department effective July 9,

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Canton, OH 44721

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- 2008 at a salary of \$49,920 per year.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.
- #08-359 3. Plain Local Baseball Concessions
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into an agreement with Plain Local Baseball 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 Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.
- #08-359 3. Four Day Workweek
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to hereby alter the weekly work schedule of all of the Road Department employees, with the exception of the Road Secretary, to work four (4) 10 (10) hour days (instead of five (5) eight (8) hour days), effective July 14, 2008 through Labor Day, September 1, 2008.
Seconded by Mr. Giavasis
Discussion: Mr. Leno issued concerns. Mr. Giavasis said this will save the Township 20% in fuel costs and increase daily productivity. Mr. Iacino will monitor the work schedule.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADJOURNMENT:

- #08-360 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 9:46 p.m.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

Pamela S. Bossart
Trustee

Louis P. Giavasis
Trustee

Albert P. Leno, II
Trustee

ATTEST: _____
Jo Ellen Reikowski
Fiscal Officer Pro-Tem