

2600 Easton St. NE
Canton, OH 44721

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September 9, 08

WORK SESSION

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude Shriver, Lisa Campbell, John Sabo, Todd A. Alexander, Steve Peroz, Joe Iacino, Chuck Kegley and Jo Ellen Reikowski. Media: None
Brian Kennedy, President of Ohio Health Choice was present and gave a very detailed and concise comparative to our present plan with AultCare. His Ohio Health Choice represents 200 hospitals with 30,000 physicians in the plan. The cost savings would be approximately \$48,000 per year to Plain Township. He was asked by Mrs. Campbell to give another quote removing the prescriptions from the aggregate. There were questions and answers from the Board as well as union representatives from the Fire and Road departments present.

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 Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley and Steve Peroz. Media present: Cal Peters, WHBC and **Betty O'Neil**-Roderick, Akron Beacon Journal.

AGENDA: Added to the Agenda – **Sheriff's Report** - #1 – Speeding on Beverly and #2 – Quarterly Report. The Agenda was as accepted.

SHERIFF'S REPORT:

1. Speeding on Beverly – high school students are using Beverly as a cut through from Schneider to 55th Street. A cruiser will check this out. The students are also running the stop sign.
2. Quarterly Report – Sgt. Shankle gave the first quarterly report for this year. Activity was down 6 percent, incidents were up 6 percent and citations were down ½ percent, accidents were up, alarms were down 4 percent and there were 8 burglaries. Vehicles are costing the Township 18 cents per mile to maintain. There are seven cars owned by the township that have in excess of 100,000 miles. There were 45 new detective cases assigned to our detective the first quarter. He made 13 arrests and one was a homicide that was solved. The canine report – there were six uses of the canine. However, Sgt. Shankle said that the canine is loved by everybody and is a plus **for the Sheriff's Department and Plain Township.**

UNFINISHED BUSINESS:

1. Insurance Check
Mrs. Campbell informed the Board that the check from the insurance company to cover the damage from the lighting strike was received and divided between departments.

NEW BUSINESS:

1. Letter to Legislators
A letter was drafted to Senator Kirk Schuring and State Representative Scott Oelslager regarding the City of Canton being aggressive with annexation and trying to annex people who are paying the outside rates for utilities and asking for their support.
2. Gas Aggregate Program
Mrs. Campbell said information and the 800 number had been posted on our website for assistance with citizens and how to get

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into the aggregate program.

#08-645 3. Plain Township Fall Newsletter
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to pay Pinnacle Press, Inc. for the printing of the 2008 Plain Township Fall Newsletter in an amount not to exceed \$3,000.00 from Fund #1000-4110-344-0000.
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to pay Canton Data Print for the distribution of the 2008 Plain Township Fall Newsletter in an amount not to exceed \$1,000.00 from fund #1000-4110-344-0000.
BE IT FURTHER RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to pay \$2,827.63 from fund #1000-4110-342-0000 to the United States Postal Service for postage for the newsletter.
Seconded by Mr. Giavasis.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

FISCAL OFFICER’S REPORT:

#08-646 1. Pending Warrants
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 \$97,605.20 as attached hereto and made a part of these minutes.
Seconded by Mrs. Bossart.
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

#08-647 2. Regular Payroll
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 \$220,000.00.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

#08-648 2b. Volunteer Payroll
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of the volunteer payroll for the 3rd Quarter of 2008 in an amount not to exceed \$30,000.00
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#08-649 3. 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>
09/03/2008	13984	\$16,428.23
09/03/2008	13985	5,613.32
09/09/08	13989	11,200.31

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

- 4. Financial Report – was given and accepted by the Board.
- 5. Liquor Permit – **Eadie’s Fish House** – held till next meeting for comments from the public
- 6. Real Estate Tax Shortfall – Finance Director, Jo Ellen Reikowski was present to go over a fact sheet regarding real estate tax shortfall and explanations are basically, more property owners are not able to afford to pay their real estate taxes and many homes have been foreclosed. The bottom line looks okay for this

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year with other revenue. However, in the future we need to be more conservative than we have been in the past. She wanted to make the Board aware of this situation and the Departments to know how it would affect their budgets.

#08-650

- 7. Amended Certificate
Motion by Mr. Leno,
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 \$671,223.48 received as follows:

<u>Fund</u>	<u>Amount</u>
1000 – General Fund	\$195,243.95
2011 – Motor Vehicle License Tax Fund	43,444.50
2021 – Gasoline Tax Fund	6,107.73
2031 – Road & Bridge Fund	22,401.07
2111 – Fire District	294,906.10
6001 – Medical Insurance Fund	109,120.13

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

#08-651

- 8. Transfer of Funds
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:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
<u>Administration</u>		
1000-4110-599-0000 – Other Expenses	1000-4110-221-0000 –Postage	\$ 2,000.00
<u>Fire</u>		
2111-4760-740-0000 – Machinery & Equipment	2111-4220-420-3070 – Supplies - Fuel & Oil	20,000.00

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

ADMINISTRATOR:

- 1. 25th Street NE Storm Sewer Project
Mrs. Campbell received the fully executed agreement for Community Development Block Grant in the amount of \$190,000.00 for this project and mentioned that if it should not go forward we would still have the money to put into drywells.
- 2. Storm Water Report – Many of these posters have been sent to veterinarians, pet supply stores and car washes. Stickers are also available for educational purposes with children.

FIRE DEPARTMENT:

#08-652

- 1. Monthly Report for August 2008 was given and there were no questions.
- 2. ORC 505.86 for 3308 Middlebranch Road
Notice to Abate Hazardous Condition at 3308 Middlebranch Road NE was given to the Trustees to be signed and then the property will be removed.
- 3. Emergency Management Agency Authorization
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the Plain Township Administrator to sign any forms required by the Emergency Management Agency. As soon as practically possible, the Plain Township Board of Trustees shall vote on a resolution to ratify any action taken by the Administrator pursuant to the authority bestowed upon him/her by this resolution. The authority conferred by this resolution shall last for the remainder of the year 2008.

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Seconded by Mr. Leno.

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

- 4. Replacement of Lighting-Damaged Equipment

For informational purposes, Chief Sabo said he wanted to do some more research with other departments because it could very well be that we would want to expand on the equipment especially in the area of recording and camera equipment. He wanted to be sure this was coordinated properly. He will get back to the Board in the future.

- 5. Purchase of fuel

#08-653

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. Giavasis.

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

ROAD DEPARTMENT:

- 1. Monthly Report – was given

- 2. Speed Zone Change for 20th Street

A study reduced the speed from 40 mph to 35 mph. Signs will be posted.

- 3. No Parking on Broad Street

#08-654

Motion by Mrs. Bossart,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the posting of “**No Parking during Fawcett Stadium events**” signs on Broad Street from 17th to 19th Street from Broad to Demington and on Demington from 17th to 20th Street.

Seconded by Mr. Leno.

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

- 4. Fuel Report – Mr. Iacino presented to the Board a detailed fuel report showing the savings in fuel in working the four day work week. He said he would be more complete and he is also recommending that the Board authorize the Road Department to go on a four day work week next year for the same period of time. Mr. Shriver asked if he prepared a report on labor hours and he said he could do that it and it was just not a concern. Mr Shriver said that there was possibly overtime on the Fridays due to supervision of the paving program. Mr. Iacino said there was one time when someone had to be out supervising the paving. However, it would be possible to put together the labor hours to show where the saving was there as well.

- 5. Sale of Vactor

#08-655

Motion by Mr. Giavasis,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the selling of the Road Department’s **1993 International Guzzler 4900 (Serial #1HTSHPCT1PH510596)** to Lake Township in the amount of **\$10,000.00 upon delivery of Plain Township’s new Vactor.**

Seconded by Mrs. Bossart.

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

ZONING DEPARTMENT:

- 1. Monthly Report – was given

- 2. Nuisance Abatements

#08-656

- a) Vacant Lot #3 on Edgedale 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

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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 Vacant Lot #3 on Edgedale Avenue NE, Stark County, Ohio (Parcel # 52-03426) and WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent September 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. Giavasis.

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

#08-657

b) 5010 Lindford 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 5010 Lindford Avenue NE, Stark County, Ohio (Parcel # 52-17278) and WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent September 3, 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. Giavasis.

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

#08-658

c) 6252 Melody 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

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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 6252 Melody Road NE, Stark County, Ohio (Parcel # 52-11877) and

WHEREAS, a certified notice providing the property owner with seven (7) days to address the matter with the Zoning Director was sent August 13, 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. Giavasis.

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

#08-659

d) 3308 Middlebranch 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 3308 Middlebranch Avenue NE, Stark County, Ohio (Parcel # 52-02821) and

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

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

PARKS & RECREATION:

1. Monthly Report – Mr. Leno asked who was doing the spraying of Round-Up at Alpine Park as he was concerned as to the perennial plants. Mr. Alexander said both individuals were certified in pesticides and one has an Associate Degree in Agriculture Science

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and were fully aware of what they were treating.

- 2. Mosquito Treatment – Mr. Alexander said he worked with the Stark County Board of Health and that Plain Township was one of the only areas placing larvicide in the catch basins. Two people from his department and with help from the Stark County Board of Health, it was all done in one day.
- 3. Shelter Update – Mr. Alexander said that Snider & Associates, Inc. has put together step-by-step instructions on how the shelter is to be stored and it is recommended it not be erected until the Spring of 2009 with the assistance of Mr. Iacino and the Highway Department. It will be properly stored at the Diamond Community Center Barn elevated with proper ventilation. A check has been received but not cashed for payment and erection of the shelter. Mr. Leno suggested the Board have a meeting at the Schneider Street property to look at the logistics at where the pond and shelter might be placed to have a better feel of how the entire layout will be.

LAW DIRECTOR:

No Report

CENTRAL MAINTENANCE:

No Report

COMMUNICATIONS:

- 1. Tour de Plain – Plain Local Schools will have a bicycle tour for individuals and families that will take place the same day as Family Fun Day and the pancake breakfast.
- 2. Ohio EPA – Public hearings will be held on September 16 & 17 regarding an air quality plan for Ohio
- 3. Mary Lou Bendroth – a thank you for the fixing of a drainage problem on 22nd Street NW

CONCERNS OF CITIZENS:

- 1. Scott Haas – 6926 Northview Avenue NE - complained about four-wheelers in the early evening speeding, especially on Saturdays. One individual flipped over but was able to get back on. He is concerned that someone will be hurt.
- 2. Roy Barr – 1211 39th Street NE – wanted to ask questions as to the deadline for our newsletter, the date of the pancake breakfast, is there a charge for the Township Hall (he was told no), does the Township have lighting rods installed (he was told yes), he wanted more information on Senate Bill 5 which was given to him by Mr. Giavasis, and wanted to know what our individual tax levies for Road, Police & Fire were respectfully. There was also discussion on Mr. Barr being the petitioner for the “City of Plain”.

APPROVAL OF MINUTES:

- 1. August 26, 2008
#08-660 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 26, 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 August 26, 2008 as presented.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #08-661 Motion by Mrs. Bossart

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BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 8:22 p.m. from this regular meeting of September 9, 2008 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:

- 1.(b) appointment 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. Leno.

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

#08-662 Motion was made by Mrs. Bossart to return to public session at 8:51 p.m.

Seconded by Mr. Leno.

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

ANNOUNCEMENTS:

#08-663 1. Rescind Resolution #08-463
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to rescind Resolution #08-463 .
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#08-664 2. OPERS Pick-Up
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to revise Resolution #08-463 and to pick-up an additional three (3) percent of the retirement for all non-contractual employees to be effective August 24, 2008.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

ADJOURNMENT:

#08-665 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 8:53 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: _____
Claude W. Shriver, II
Fiscal Officer