

**WORK SESSION**

**ATTENDANCE:**

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude Shriver, Lisa Campbell, John Sabo, Todd A. Alexander, Steve Peroz, Joe Iacino and Chuck Kegley. Media: None  
Chell Rossi and Joseph Paonessa from the State of Ohio Veteran’s Memorial Park program came to make a presentation to the Board of a memorial park that will be located in Clinton, Ohio. It is a 501c3 organization that was established for the sole purpose of creating a memorial park to commemorate the service and **sacrifice of all Ohio’s men and women of the Armed Forces of the United States.** They showed a brief video program showing the park and its features plus went over the different things that could be done by the Township. For example, a \$3,500 purchase of a bench, a \$2,500 purchase of a monument, and a \$1,500 purchase to have a tree planted with a plaque. The board of granite at the park will contain 3,095 names of deceased veterans.

**EXECUTIVE SESSION:**

#08-790 Motion by Mrs. Bossart  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 6:25 p.m. from this regular meeting of November 25, 2008 as authorized under Ohio Revised Code 121.22(G) for the purpose of the consideration of:  
2. (a) the purchase of real, personal, tangible or intangible property  
(b) the sale of property by competitive bid to prevent the disclosure of information that would provide competitive advantage

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

#08-791 Motion was made by Mrs. Bossart to return to public session at 6:59 p.m.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, 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 Shriver, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley and Steve Peroz. Media present: Cal Peters, WHBC, **Betty O’Neil**-Roderick, Akron Beacon Journal and Natalie Lariccia, the Repository.

**AGENDA:** Added to the Agenda was Law Director #2 – 25<sup>th</sup> Street Amendment. The Agenda was as accepted as presented.

**UNFINISHED BUSINESS:**

1. Snow Removal  
Mr. Icacino, Highway Superintendent said he still wanted to discuss with the Board what way they wanted to go with the possible shortage of road salt this winter. He said he received complaints from residents about the most recent storm and the poor condition of roads. But our roads were in good shape. It is that the residents do not know the difference between a county road and a township road. He will list these in the newsletter

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again. He wanted from the Board where to cut back. There was definite concern about the dangerous intersections that involve county roads. The Boards consensus was that was that our drivers are out there and they need to make the decision whether to turn their spreaders on and spread salt on those areas to prevent any accidents as we are responsible for the safety of our citizens. Mr. **Leno stated there really isn't a shortage of salt. This all has to do with greed and the person should be ashamed of themselves.** It is all these salt delivery drivers. Chuck Burns from the Road Department was present and aired his concerns as a driver and snowplow operator and what he does in salting dangerous areas whether it be county or township roads.

**NEW BUSINESS:**

- #08-792 1. Bicentennial Committee  
Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the establishment of a Plain Township Bi-Centennial Administrative Committee and to appoint Rick Campbell as Chairman of the Committee.  
Seconded by Mr. Giavasis.  
Discussion: Mr. Rick Campbell, Stark County Recorder is also the Stark County Historian and has a keen interest in helping. He has had past experience in Jackson Township with various functions of putting together civic rallies and parades and volunteered his time. The Board thanked him for chairing this committee.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**SHERIFF'S REPORT:**

- 1. Rick Schlemmer – 3918 Linda NW was present to talk about the barking dog issue that has been an ongoing problem. After discussion, the Board decided to have our Law Director look into raising the fine on our barking dog citation.

**FISCAL OFFICER'S REPORT:**

- #08-793 1. Pending Warrants  
Motion by Mrs. Bossart,  
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 \$185,968.43 as attached hereto and made a part of these minutes.  
Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

- #08-794 2. 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.

- #08-795 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> |
|-------------|----------------|---------------|
| 11/18/2008  | 14486          | \$ 7,926.31   |
| 11/25/2008  | 14502          | 15,230.21     |
- Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

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4. Investment Report – was given and accepted by the Board with no questions.

#08-796 5. Amended Certificate & Appropriation of Funds  
Motion by Mrs. Bossart,  
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 \$604,697.63 as follows:

1000 – General Fund	\$327,432.34
2011 – Motor Vehicle Tax Fund	44,729.85
2031 – Road & Bridge Fund	6,934.28
2281 – Ambulance & EMS Fund	62,913.34
2901 – Misc – Diamond Park	64,348.84
2902 – Trust Deposits	5,980.06
6001 – Internal Service – Medical Ins.	92,358.92

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:

1000-4110-221-0000 – Medical/Hospitalization	\$ 1,585.28
1000-4110-319-6002 – Computer Services	14,000.00
1000-4110-591-0000 – Contributions – Bicentennial	20,000.00
1000-4120-341-0000 – Telephone	4,000.00
1000-4120-730-0000 – Improvement of Sites	160,647.06
1000-4130-190-9030 – Salary – Secretarial	500.00
1000-4210-370-6100 – Contract – Police Services	40,000.00
1000-4210-740-0000 – Machinery & Equipment	30,000.00
1000-4330-351-0000 – Electric	200.00
1000-4330-360-6025 – Contracts – 25 <sup>th</sup> Street	45,000.00
1000-4610-190-9010 – Salaries – Staff	10,000.00
1000-4610-420-0000 – Supplies – Park	1,000.00
1000-4610-599-6400 – Other – Portable Toilet Rental	500.00
2011-4330-420-4010 – Road Salt	44,729.85
2031-4330-190-9150 – Salaries – Operator/Labor	6,000.00
2031-4330-740-0000 – Machinery/Equipment	934.28
2281-4230-213-0000 – Employer Medicare	200.00
2281-4230-215-0000 – Employer Police & Fire	500.00
2281-4230-370-6310 – Contract – EMS Billing	1,000.00
2281-4230-420-0000 – Operating Supplies	5,000.00
2281-4230-740-0000 – Tools & Equipment	56,213.34
2901-4610-190-9010 – Salaries – Staff	15,000.00
2901-4610-190-9160 – Salaries – Rec Supervisors	5,000.00
2901-4610-211-0000 – Public Employees Retirement	5,000.00
2901-4610-319-6003 – Website Maintenance	1,000.00
2901-4610-360-0000 – Contracts – Referees	500.00
2901-4610-420-0000 – Supplies	5,000.00
2901-4610-420-3005 – Supplies – Concessions	2,000.00
2901-4610-430-0000 – Small Tools & Minor Equip	5,000.00
2901-4610-599-0000 – Other Expenses	18,848.84
2901-4610-730-0000 – Improvement of Sites	5,000.00
2901-4610-740-0000 – Machinery & Equipment	2,000.00
2902 -4990-599-0000 – Payouts – Deposits Refunded	5,980.06
6001-4990-599-0000 – Other – Medical Claims	92,358.92

Seconded by Mr. Leno.

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

#08-797 6. 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>		
1000-4110-430-3300 Sm Tools & - Equipment – Fiscal Office	1000-4110-410-3300 Supplies - Fiscal Office	\$ 500.00
<u>Fire Department</u>		

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2111-4760-740-0000 – Machinery & Equipment	2111-4220-190-9060 – Salaries - Overtime	10,000.00
2111-4760-740-0000 – Machinery & Equipment	2111-4220-190-9090 – Salaries - Longevity	4,575.00
2111-4760-740-0000 – Machinery & Equipment	2111-4220-314-0000 – Property Tax Collections	100.00
2111-4760-740-0000 – Machinery & Equipment	2111-4220-322-0000 – Garbage & Trash Removal	500.00
2111-4760-740-0000 – Machinery & Equipment	2111-4220-323-5040 – Repairs & Maintenance	1,000.00
2111-4760-740-0000 – Machinery & Equipment	2111-4220-420-3060 – Supplies - Vehicle Parts	1,500.00
2111-4760-740-0000 – Machinery & Equipment	2111-4220-420-3070 – Supplies - Fuel & Oil	25,000.00

Seconded by Mrs. Bossart.

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

7. Records Commission Meeting – December 9, 2008 at 6:50 pm

**ADMINISTRATOR:**

1. Bicentennial Update – Mrs. Campbell gave more information on the bicentennial but said that most of it was covered under New Business.

**FIRE DEPARTMENT:**

1. Monthly report was given.
2. Purchase of Recording Equipment

#08-798

Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of Digital Recording Equipment for Telephone and Radio Monitoring in Fire Dispatch under State Contract Schedule No. 7706600108 from Stephen Campbell & Associates, Inc. in an amount not to exceed \$11,000 to be taken from Account 2111-4760-740-0000.  
Seconded by Mrs. Bossart.

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

3. Purchase of Hurst Mini Mate Power Unit

#08-799

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a Hurst Mini Mate Power Unit from Finley Fire Equipment in an amount not to exceed \$4,750.00 to be taken from Account #2111-4760-740-0000.  
Seconded by Mrs. Bossart.

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

**ROAD DEPARTMENT:**

1. Sale of Scrap Metal  
Motion by Mr. Giavasis,  
WHEREAS, Ohio Revised Code Section 505.10(A) Provides that the Board of Trustees may sell property at private sale, if the Board determines that: 1) The property is no longer needed; and 2) The value of the property is less than \$2,500.00; and WHEREAS, The Township has accumulated scrap metal which it no needs and which has a salvage value of less than \$2,500.00; BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that said scrap metal be sold.  
Seconded by Mrs. Bossart.

#08-800

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

2. Purchase of Fuel

#08-801

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 \$10,000.00

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from Fund 2011-4330-420-3070.

Seconded by Mr. Leno.

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

**ZONING DEPARTMENT:**

- 1. Notice of Public Hearing  
Mr. Peroz said the Plain Township Board of Zoning Appeals will hold a public hearing on Wednesday, December 3, 2008 at 7:00 pm to consider Appeal #1199-08-A. The Applicant is **St. Michael’s Church and is requesting a variance** to construct a permanent pole sign.

**PARKS & RECREATION:**

No Report

**LAW DIRECTOR:**

- 1. Eslich Annexation  
Mr. Williams provided the letter of the Eslich annexation and pointed out that the land will stay in the Township and we will continue to collect the \$4,000.00 real estate tax from the property.
- 2. 25<sup>th</sup> Street Amendment  
Motion by Mrs. Bossart,  
**WHEREAS, the Plain Township Board of Trustees (“Plain”) and the City of Canton (“Canton”), previously entered into an Agreement for joint participation in a project to improve storm water drainage capabilities on or around shared roadways, which has been referred to as the 25<sup>th</sup> Street N.E. Storm Sewer Project (“25<sup>th</sup> St. Project”); and**  
WHEREAS, Plain and Canton committed to cooperate by, *inter alia*, seeking outside funding for the 25<sup>th</sup> Street Project design and **project costs from the Ohio Public Works Commission (“OPWC”);** and  
WHEREAS, Plain and Canton have now determined that the original allocation of costs must be revised due to the **engineer’s** estimate of probable construction costs exceeding the total funding secured by Plain and Canton for the entire project, and thus the parties wish to substitute revised and clarified cost allocations for said project.  
WHEREAS, Plain and Canton wish to further establish an equitable method by which Canton will reimburse Plain funds expended by Plain on this project should any annexation of lands occur in the designated project area.  
NOW, THEREFORE, based on the foregoing, Plain and Canton hereby amend the Agreement referred above as follows:  
In substitution of the stated percentage allocations set forth in paragraphs numbered three (3) and seven (7) of the original Agreement, the amended project cost allocation between Plain and Canton shall be in accordance with calculations set forth in the attached Exhibit 1, which by reference is incorporated herein.  
Plain and Canton further agree to the formula and method set forth herein shall be utilized in the even Canton annexes Plain Township land currently situated in the project area consisting of approximately 123 acres.  
The parties acknowledge and agree that only Plain Township **funds actually expended (not “CDBG” nor “OPWC”) shall be** subject to reimbursement.  
The parties further recognize that the formula and method for determining reimbursement set forth herein includes figures **based on current engineer’s estimates, and that actual** reimbursement amounts shall be calculated from actual costs and

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expenses.

Canton shall reimburse Plain, within 60 days from the completion of any annexation of Plain Township land in the aforementioned project area, based on a per acre calculation. Should Canton not

Reimburse Plain within 60 days as noted above, Canton shall be responsible for all interest, costs, and attorney's fees incurred by Plain to collect said sums.

By way of example, based on current estimates, the reimbursement shall be calculated as follows:

**Plain Township Areas, Direct Costs, And Reimbursement Schedule  
Drainage Area Benefiting from Project**

<b>Drainage Area</b>	<b>Acres</b>	<b>% of Total</b>
Plain Twp. (As of 10/22/08)=	12.2	9.91%
City of Canton=	110.9	90.09%
Total=	123.1	100.00%

**Costs Required to be Paid Directly by Plain Twp.**

Design = \$60,500.03

Right of Way = \$200.00

Base Bid Construction = 22.12% of Base Bid Cost

Therefore, Twp's Direct Costs = \$60,700.03 + 22.12% of Base Bid

Twp.'s Direct Costs Per Acre = (\$60,700.03 + 22.12% of Base Bid) /12.2

Further, the amount subject to reimbursement shall be reduced annually over a twelve year period, said reduction schedule commencing upon completion of the Plain Township portion of the project according to the following:

**Schedule for Twp.'s Direct Costs to be Reimbursed by City upon Annexation (if applicable), per Acre Annexed**

<b>Year</b>	<b>%</b>
<b>1</b>	<b>100.0</b>
<b>2</b>	<b>91.7</b>
<b>3</b>	<b>83.3</b>
<b>4</b>	<b>75.0</b>
<b>5</b>	<b>66.7</b>
<b>6</b>	<b>58.4</b>
<b>7</b>	<b>50.0</b>
<b>8</b>	<b>41.7</b>
<b>9</b>	<b>33.4</b>
<b>10</b>	<b>25.0</b>
<b>11</b>	<b>16.7</b>
<b>12</b>	<b>8.4</b>
<b>13</b>	<b>0.0</b>

The above stated twelve year period shall begin to run upon completion of the construction of the project.

**Example (based on construction cost estimate for Base Bid section)**

Design = \$60,500.03

Right of Way = \$200.00

Base Bid Construction = \$78,182.79 (\$26,137 + \$52,045.79)

Total Township Direct Costs = **\$138,882.82**

Township's Direct Costs Per Acre = **\$11,383.84**

<b>Example Schedule of Reimbursement per Acre Annexed</b>		
<b>Year</b>	<b>%</b>	<b>Reimbursement Per Acre Annexed</b>
1	100.00	\$11,383.84
2	91.7	\$10,435.56
3	83.3	\$ 9,487.29

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4	75.0	\$ 8,539.02
5	66.7	\$ 7,590.74
6	58.4	\$ 6,642.47
7	50.0	\$ 5,694.20
8	41.7	\$ 4,745.92
9	33.4	\$ 3,797.65
10	25.0	\$ 2,849.37
11	16.7	\$ 1,901.10
12	8.4	\$ 952.83
13	0.0	\$ 0.00

The supporting information is contained in “**Exhibit One**”.

Seconded by Mr. Leno.

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

**CENTRAL MAINTENANCE:**

1. Fire Station #4 Roof Replacement

Mr. Kegley said the contractor and the insurance company came to an agreement and that the repair work would be completed.

**COMMUNICATIONS:**

None

**CONCERNS OF CITIZENS:**

None

**CONCERNS OF TRUSTEES:**

| | None

**APPROVAL OF MINUTES:**

1. November 12, 2008  
#08-803 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 November 12, 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 November 12, 2008 as presented.  
Seconded by Mr. Giavasis.  
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, Abstain.

**ADJOURNMENT:**

- #08-804 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 8:03 p.m.  
Seconded by Mr. Giavasis.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

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Pamela S. Bossart  
Trustee

Albert P. Leno II  
Trustee

Louis P. Giavasis  
Trustee

ATTEST:

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Claude W. Shriver II  
Fiscal Officer