

REGULAR MEETING

OPENING: The regular meeting was called to order at 7:01 p.m. by President Bossart, who led the pledge of allegiance.

ATTENDANCE:

Pamela Bossart, Louis Giavasis, Albert Leno, II, Lisa Campbell, Eric Williams, John Sabo, Todd Alexander, Joe Iacino, Chuck Kegley, Steve Peroz and Jo Ellen Reikowski. Mr. Shriver was visiting family in Florida. Media present: **Betty O’Neil**-Roderick, Akron Beacon Journal and Natalie Lariccia, the Repository.

FISCAL OFFICER PRO-TEM:

#08-839 Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint Jo Ellen Reikowski as Fiscal Officer Pro-Tem.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

AGENDA: Added to the Agenda by Mrs. Campbell under New Business – Bicentennial Celebration Update and to Concerns of Trustees by Mr. Giavasis – 2008. The Agenda was as accepted as presented.

SHERIFF'S REPORT:

1. Mr. Leno said he talked with our Detective who reported an increase in burglaries recently. These have been occurring during the day. Things to watch for are strange vehicles or people sitting in vehicles in neighborhoods. Please call the Sheriff if something abnormal is seen.

UNFINISHED BUSINESS:

#08-840 1. 25th Street Storm Sewer Project
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached agreement in regards to the 25th Street Storm Sewer Project.
Seconded by Mr. Leno.
Discussion: Mr. Williams said this is the amendment to the **agreement and there were two issues “left on the table”. There was the attorneys’ fees provision for collection and the completion date.** They agreed to the completion date and not agreed to the **attorneys’ fees. Mr. Williams said if the City does not pay as agreed, he would still pursue them at no charge.** Mrs. Campbell said this has taken so long and it is a non-issue if the City of Canton pays as they should which has been an issue as they have not on numerous occasions. Mr. Giavasis said if they intend on paying as stated in the contract, why are they concerned about this issue. Mr. Williams did state that in terms of contracts, this is normally never included. Mr. Giavasis said they are financially obligated to pay us and if they are not going to, we need to take them to the Budget Commission to get our money. Mr. Williams said that we are owed \$7,500 on that issue and another \$7,500 from this year. For clarification, Mrs. Campbell asked, if for failure to pay a contract or an agreement could you still go to the Budget Commission? Mr. Williams said there is a statute that talks about it with agreements like this one. Mrs. Campbell asked if the Zoning fees for the Diano property could be included and Mr. Williams replied yes.
Seconded by Mr. Leno.
Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

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NEW BUSINESS:

- 1. Bicentennial Celebration Update
Mr. Rick Campbell gave the Trustees a cover letter he prepared and fundraising events, lists for sponsors and what they will receive plus food vendor and booth space applications. He said his committee met with three fireworks companies. He would like to have a work session with the Trustees in January to select the fireworks company. He will prepare recommendations for them. He feels there has been a good response to the dinner. The first week or so is normally slow. He said that Judy Pocock with the **Historical Society will have a program on “families in Plain Township”** along with interesting facts and plans to recognize them at the dinner. Rick said that he is currently working on contracts for food and booth vendors with Eric and will bring them to the Board. Mr. Leno thanked Mr. Campbell for his work saying everything looked nice and well put together.

FISCAL OFFICER’S REPORT:

#08-841 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 \$66,478.35 as attached hereto and made a part of these minutes.
Seconded by Mr. Leno.
Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

#08-842 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.

#08-843 3. 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>
12/16/08	14688	\$9,140.51
12/23/08	14704	7,031.95

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

4. Investment Report – was given and accepted by the Board with no questions. Mrs. Reikowski mentioned with the Federal Reserve lowering their interest rates to almost zero has really affected the Township.

#08-844 5. Release of Fire Escrows
a) Terrell & Judith Bolon
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the release of insurance proceeds being retained for a loss caused by fire on December 9, 2007 at the home of Terrell D & Judith Bolon of 3125 Denne Street NW in the amount of \$11,832.00. The check is to be made payable to Terrell D and Judith A Bolon as authorized by Inspector Slabaugh, Bureau of Life Safety and Records.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

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#08-845 b) Marilee Allison
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the release of insurance proceeds being retained for a loss caused by fire on July 13, 2008 at the home of Marilee Allison of 153 – 35th Street NE in the amount of \$15,538.06. The check is to be made payable to Marilee Allison as authorized by Inspector Slabaugh, Bureau of Life Safety and Records.
 Seconded by Mr. Giasasis.
 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#08-846 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>
CIGNA (for Nicholas Swank)	\$ 490.00
Barbara Moran	175.80
AultCare (for Barbara Moran)	309.20
Clarence Turner	120.00

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

#08-847 7. 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>		
1000-4120-730-0000 – Imp of Sites	1000-4110-311-0000 –Legal	\$ 1,000.00
1000-4120-730-0000 – Imp of Sites	1000-4110-430-3300 –Sm Tools & Equip - Fiscal	2,905.00
<u>Road Department</u>		
2031-4330-420-4020 – Materials	2031-4330-190-9010 – Salaries -	1,000.00
2031-4330-420-4020 – Materials	2031-4330-190-9060 – Salaries OT	3,000.00
2031-4330-420-4020 – Materials	2031-4330-430-0000 – Sm Tools & Equipment	100.00
<u>Fire Department</u>		
2111-4760-740-0000 – Machinery & Equipment	2111-4220-599-0000 – Other Exp	1,500.00

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

#08-848 8. 2009 Temporary Appropriations
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize Temporary Appropriations for the year 2009 as attached hereto and made a part of these minutes.
 Seconded by Mr. Giavasis.
 Mrs. Reikowski reviewed the 2009 Budget and temporary appropriations. Mrs. Campbell reminded the Board that the funds for the Bicentennial originally came from Estate Tax money and carried over from 2008 plus we are hopeful when the money comes in for the Police Levy, the General Fund can be reimbursed for any expenses. Mr. Giavasis said that our Township is doing a lot with its money and provides the same types of services that other entities provide with three times the money. Again that is something that we need to be proud of.
 Vote: Mr. Giavasis, yes; Mr. Leno, yes; Mrs. Bossart, yes.

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- #08-849 9. Check Signer Machine
Motion by Mr. Leno,
WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio authorized the purchase of a MICR Enable Check Signer from F & E Check Protector Company on August 24, 2004 (Resolution #04-506);
AND WHEREAS, Wycom has recently discontinued production of the Wycom MICR Enable Check Signer;
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the purchase of a Wycom Premier upgrade with MICR at a cost of \$2,960.75 plus the Wycom Premier upgrade with MICR at a cost of \$2,960.75 plus the Wycom Premier maintenance contract for one year for \$490.00 from F & E Check Protector Company in an amount not to exceed \$3,450.75 to be taken from 1000-4110-430-3300 for use in the Fiscal Office.
Seconded by Mr. Giavasis.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- 10. Department of Liquor Control – 3600 Regent
This was a request for the new permit. The Board gave it to our Detective to look into. It will be held to the next meeting.

ADMINISTRATOR:

No Report

FIRE DEPARTMENT:

- #08-850 1. Tuition Reimbursement
 - a) Stark State College – William E. Reed, Jr.
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to grant the request for tuition reimbursement of William E. Reed, Jr. attached hereto and authorize payment in an amount not to exceed \$104.00 to be taken from Account #2111-4220-599-0000.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- #08-851 b) Columbiana Southern University – Stephen Ash
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to grant the request for tuition reimbursement of Stephen Ash attached hereto and authorize payment in an amount not to exceed \$500.00 to be taken from Account #2111-4220-599-0000.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
- #08-852 2. Acceptance of Resignations
 - a) Timothy Weir
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the resignation of Timothy Weir as a Plain Township Volunteer Firefighter/EMT effective December 2, 2008 with regret.
Seconded by Mrs. Bossart.
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.
 - b) Michael Kamp
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to accept the resignation of Michael Kamp as a Plain Township Career Firefighter/Paramedic effective December 28, 2008 with regret.

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Seconded by Mrs. Bossart.

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

ROAD DEPARTMENT:

No Report

ZONING DEPARTMENT:

1. Notice of Public Meeting on January 14, 2009, 6:00 p.m.
Mr. Peroz reported this meeting will consider text amendments due to Ohio Revised Code changes. Regional Planning developed recommendations for small wind energy systems. Mrs. Campbell said there have always been issues with swimming pools so that is on there along with some other issues.

PARKS & RECREATION:

1. Toys for Tots
Mr. Alexander said the Township hall was a collection site. Jeff McVay assisted in delivering a total of 141 items to the trucks at the Stark County Safety Council Meeting on December 11th.
2. Diamond Concessions Yearly Report
Mr. Alexander shared with the Board a report on the operation of the concessions at Diamond Park. He said this was a successful year and a team effort. Joyce Ichikawa runs the concession operations and is one of his hardest working employees. She is doing a great job and he really appreciates her efforts. Mrs. Campbell said that this report does not reflect a full year which is important plus Joyce does an outstanding job of purchasing all the supplies, getting volunteers, orchestrating all the tournaments, volunteering countless hours herself, etc. This report does not include income from the vending machines that are in the parks. Kiyoko Ichikawa reported the gross sales at \$31,273.53, with cost of supplies at \$12,908.23 and other operating costs of \$8,303.15 for a total net income of \$10,062.15. \$2,358.48 was paid to other organizations as donations leaving a final net income of \$7,703.67. Kiyoko said they did obtain their objection and said it really grew throughout the year. In order to generate more income, he suggested looking at providing a concession location at the west side of the fields, organize more events, opening seven days a week but no on days or times that were not profitable in the past and improving the menu. Mrs. Bossart thanked Kiyoko for putting everything together and being profitable was a pleasant surprise. It helps with the Parks to be self-funded so we don't have to put a levy on the ballot. Mr. Leno thanked both Mr. and Mrs. Ichikawa and said they are "good people" and that good people make other people feel good. Mr. Giavasis commended them on doing an outstanding job.

LAW DIRECTOR:

No Report

CENTRAL MAINTENANCE:

No Report

COMMUNICATIONS:

1. Stark County Engineer
A notification letter that was sent to all property owners affected by the Applegrove Street and Market Avenue improvement project. A public hearing will be held on January 13, 2009 at 7 p.m. at the First Christian Church located at 6900 Market Avenue North. She said that she and Joe Iacino will be attending as this

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second phase of the project is all in Plain Township.

CONCERNS OF CITIZENS:

None

CONCERNS OF TRUSTEES:

- 1. 2008
Mr. Giavasis thanked everyone individually for a fine job in 2008 and said that 2009 should be an interesting year. Mrs. Bossart said the best deal is the residents of the Township as everyone is looking out for them.

CONCERNS OF FISCAL OFFICER:

None

APPROVAL OF MINUTES:

- #08-854 1. Regular Meeting December 9, 2008
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 December 9, 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 December 9, 2008 as presented.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, Yes.
- #08-855 2. Special Meeting December 15, 2008
Motion by Mr. Giavasis,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to waive the reading of the minutes of the special meeting held December 15, 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 December 15, 2008 as presented.
Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mrs. Bossart, Abstain; Mr. Giavasis, yes.

EXECUTIVE SESSION:

- #08-856 Motion by Mrs. Bossart
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn to executive session at 7:53 p.m. from this regular meeting of December 23, 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.
- #08-857 Motion was made by Mrs. Bossart to return to public session at 8:54 p.m.
Seconded by Mr. Giavasis.
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

ANNOUNCEMENTS:

- #08-858 1. Appoint Board of Zoning Commission Member – Jeffrey Arnold
Motion by Mrs. Bossart,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint Jeffrey A. Arnold to the Board of Zoning Commission for a five (5) year term commencing

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January 1, 2009 and expiring December 31, 2013.

Seconded by Mr. Giavasis.

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

- #08-859 2. Appoint Board of Zoning Commission Member – Patricia Thornborough
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint Patricia Thornborough to the Board of Zoning Commission for a five (5) year term commencing January 1, 2009 and expiring December 31, 2013.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.
- #08-860 3. Appoint Board of Zoning Commission Alternate Member – Larry Pulka
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to appoint Larry Pulka as an alternate member to the Board of Zoning Commission for a five (5) year term commencing January 1, 2009 and expiring December 31, 2013.
 Seconded by Mr. Giavasis.
 Vote: Mrs. Bossart, yes; Mr. Giavasis, no; Mr. Leno, yes.
- #08-861 4. Police Contract
 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to enter into the attached contract for police services with the Stark County Sheriff for calendar year 2009.
 Seconded by Mr. Leno.
 Vote: Mrs. Bossart, yes; Mr. Giavasis, yes; Mr. Leno, yes.

ADJOURNMENT:

- #08-862 Motion by Mrs. Bossart,
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to adjourn at 8:57 p.m.
 Seconded by Mr. Leno.
 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