

WORKING SESSION: 5:20 p.m. – EXECUTIVE SESSION

#19-597 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to adjourn to executive session at 5:20 p.m. from
this regular meeting of 12/17/19 as authorized under Ohio Revised
Code 121.22(G) for the consideration of:

1. (b) employment of a public employee or official
(f) compensation of a public employee or official
3. A conference with the law director or other retained counsel
concerning pending or imminent court action

Seconded by Mr. Haws.

Vote: Mr. Leno, yes; Mr. Sabo, yes; Mr. Haws, yes.

#19-598 Motion by Mr. Haws to return to public session at 5:47 p.m.
Seconded by Mr. Sabo.

Vote: Mr. Leno, yes; Mr. Sabo, yes; Mr. Haws, yes.

REGULAR MEETING

OPENING:

The regular meeting was called to order at 6:00 p.m. President John
Sabo led the pledge of allegiance.

ATTENDANCE:

John Sabo, Scott Haws, Al Leno, Lisa Campbell was excused, Joe
Iacino, Chief Shalenberger, Eric Williams, Rob Steinberg, and
Thomas Wolf. Media: Canton Repository

AGENDA:

The agenda was presented. Rob added Parks #1 – presentation and
Plain Township Historical Society thank you was added to
Communications. Mr. Haws added Concerns of Trustees. Agenda
accepted as edited.

UNFINISHED BUSINESS:

#19-599 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees,
Stark County, Ohio to amend Resolution #19-579 authorize payment
to Baker Dublikar, for Professional Services in the amount not to
exceed \$4,521.00, and to be paid from fund #01-A-10.

Seconded by Mr. Haws.

Vote: Mr. Leno, yes; Mr. Sabo, yes; Mr. Haws, yes.

SHERIFF’S REPORT:

None

NEW BUSINESS:

None

FISCAL OFFICER’S REPORT:

1. Pending Warrants

#19-600 Motion by Mr. Haws,
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 \$691,476.56 as attached hereto and made a part of these
minutes.

Discussion: Mr. Haws clarified that this amount includes two rotary
fund payments under the sheriff and prospective BWC premium
increasing the dollar amount.

Seconded by Mr. Leno.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mr. Leno, yes.

2. Regular Payroll

#19-601 Motion by Mr. Sabo,
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 \$250,000.00.

Seconded by Mr. Leno.

Vote: Mr. Haws, yes; Mr. Sabo, yes; Mr. Leno, yes.

3. Medical Claims

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#19-602 Motion by Mr. Haws,
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>
12/11/19	41190	\$ 11,460.32

Seconded by Mr. Sabo.
Vote: Mr. Haws, yes; Mr. Sabo, yes; Mr. Leno, yes.

- 4. Investment Report of month of November
- 5. Bank Reconciliation
 - a. September
 - b. October
 - c. November
- 6. Amended Certificate

19-603 Motion by Mr. Haws,
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 \$322,103.53:

01-General fund	\$129,054.04
02-Motor Vehicle	271.82
03-Gas Tax	1,085.42
05-Cemetery	1,000.00
13-Zoning	10,833.15
28-Ambulance & EMS	179,859.10

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:

01-B-02-Improvements of Sites	\$129,054.04
02-B-02- Material - Salt	271.82
03-A-05A- Supplies- Fuel & Oil	1,085.42
05-A-12-Other Expenses	1,000.00
13-A-03-Supplies	2,000.00
13-A-04- Tools & Equipment	8,833.15
28-A-05- Tools & Equipment	179,859.10

Seconded by Mr. Leno.
Vote: Mr. Leno, yes; Mr. Sabo, yes; Mr. Haws, yes.

- 7. Temporary 2020 Budget

#19-604 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio to authorize Temporary Appropriations for the
year 2020 as attached hereto and made a part of these minutes and to
authorize the Plain Township Fiscal Officer to submit this to the Stark
County Auditor.

Seconded by Mr. Leno.
Vote: Mr. Haws, yes; Mr. Leno, yes; Mr. Sabo, yes.

- 8. Payment of Vendor & Utility Bills

#19-605 Motion by Mr. Haws,
WHEREAS, by the Plain Township Board of Trustees, Stark County,
Ohio, authorizes the Fiscal Officer to process any bills for payment
that may be late if not paid timely;

WHEREAS, the Plain Township Board of Trustees has established
January 14, 2020 as its next regular meeting, and vendors and utilities
may assess late fees if not paid timely;

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,
Stark County, Ohio, to authorize the Fiscal Officer to pay vendors and
utility bills and include them on the pending warrant list of the
January 14, 2020 regular meeting.

Seconded by Mr. Sabo.
Vote: Mr. Leno, yes; Mr. Sabo, yes; Mr. Haws, yes.

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ADMINISTRATOR:

1. Support of Plain Local Schools
#19-606 Motion by Mr. Sabo,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to **support the Plain Local Board of Educator's** efforts to challenge R.C. 3311.242 and the serious consequences it presents to public school districts. And that our legislators immediately introduce legislation to repeal R.C. 3311.242.
WHEREAS, Amended House Bill 166 of the 133rd General Assembly (HB 166) known as Ohio Revised Code 3311.242 (R.C. 3311.242) was passed by the General Assembly and signed into law by Governor Mike DeWine on July 18, 2019, effective October 17, 2019; and
WHEREAS, R.C. 3311.242 creates a new process by which electors residing in a school district with territory in an eligible township may initiate and consummate the transfer of school district territory to another school district; and
WHEREAS, prior to this enactment of R.C. 3311.242, all Ohio school district territorial transfers were governed by R.C. 3311.06 and R.C. 3311.24, in conjunction with Ohio Administrative Code (O.A.C) 3301-89; and
WHEREAS, there appears to be a serious lack of transparency in how R.C. 3311.242 was inserted into HB 166, who is responsible for it, who wrote it and how it got into the final bill; and
WHEREAS, the newly enacted R.C. 3311.242, unlike R.C. 3311.06 and R.C. 3311.24, provides no due process measures for either a transferring or receiving school district to challenge a proposed **transfer on the grounds that such transfer will violate students' equal** protection rights; will result in financial hardship for students and create and perpetuate economic inequality; and/or create and perpetuate inequality in residential segregation; and
WHEREAS, R.C.3311.242 can result in student enrollment, district finances and district boundaries being a perpetual moving target; and
WHEREAS, the tax payers in the transferring district will have no voice in the decision even though it may have economic consequences for those residents;
Discussion: Mr. Eric Williams, Law Director, explained this resolution is township support for the board of education's challenge of R.C 3311.242. It is a new statute effective in October 2019, concerning a legal battle with parents wanting to transfer from Plain Township School District to Jackson School District. Mr. Haws mentioned learning of a Hill and Dales legal motion recently denied by the Supreme Court. He indicated that the process will be lengthy and that the school board needs township support. Based on conversations with the Plain Township board of education, they are challenging it because it wasn't a **transparent process. Mr. Sabo explained that way** the legislation is worded is very confusing and this is the first case with the new law. He compared it to annexation on steroids, but worse. It could be one household that could do it, or a street. They could leave the school district and then apply to come back in a year. There are no time limits, no specifics written into the legislation. Mr. Sabo says that **he thinks that it's the wrong way to go with what is trying to be** accomplished.
Seconded by Mr. Haws.
Vote: Mr. Leno, yes; Mr. Sabo, yes; Mr. Haws, yes.

FIRE DEPARTMENT:

1. Dispatching Contract
#19-607 Motion by Mr. Haws,
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to enter in the attached agreement between the Stark County Sheriff and the Plain Township Board of Trustees starting January 1, 2020 thru December 31, 2020 for all dispatching

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services for Plain Township Fire/EMS. Pricing is set according to attached agreement.

Seconded by Mr. Sabo.

Vote: Mr. Haws, yes; Mr. Leno, yes; Mr. Sabo, yes.

2. Purchase of Medic Truck

#19-608

Motion by Mr. Haws,

BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase and payment of one (1) 2020 Life Line Custom Highliner Type 1 AD Ambulance including options and accessories from Pfund Superior Sales under Ohio State Term Schedule #800217 – Index #STS233, in the amount of \$296,000.00 to be taken from Account #28-A-05.

Seconded by Mr. Leno.

Vote: Mr. Haws, yes; Mr. Leno, yes; Mr. Sabo, yes.

ROAD DEPARTMENT:

1. Hiring of Craig Knouff pending all Pre-Employee Screening

#19-609

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to hire Craig Knouff in the Road Department, effective December 30th, 2019 at an hourly rate of \$18.80/hour for probationary new hire, after a successful probationary period of one year, to be moved up to an Operator/Laborer IV at \$21.22/hour. All pending pre-employment background check, drug & alcohol screening results and physical.

Discussion: Mr. Haws added that there was a good choice of candidates considering current market competition. And, that Mr. Knouff, in addition to his road and driving experience, has mechanics and construction skills.

Seconded by Mr. Sabo.

Vote: Mr. Haws, yes; Mr. Leno, yes; Mr. Sabo, yes.

ZONING DEPARTMENT:

1. 6864 BIRCHBARK AVE NE

#19-610

Motion by Mr. Haws,

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio has given notice to the owner of property located at 6864 BIRCHBARK AVE NE, (Parcel #5218726) to abate the nuisance on this property (Resolution #15-271) on 10/01/19; and

WHEREAS, the Plain Township Board of Trustees provided for said abatement through the services of Plain Township Maintenance Department at a cost of \$228.75; and

WHEREAS, the Plain Township Board of Trustees incurred costs for services and notification in the amount of \$33.15

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 \$261.90 to be placed on the property **owner's tax duplicate.**

Seconded by Mr. Sabo.

Vote: Mr. Haws, yes; Mr. Leno, yes; Mr. Sabo, yes.

PARKS DEPARTMENT:

1. Presentation

Mr. Sabo and Parks Department presented signage for the Plain Township Al Leno Community Park.

COMMUNICATIONS:

1. Plain Township Historical Society Thank You

Mr. Williams read a letter dated December 12, 2019 from the Plain Township Historical society, board and members thanking Albert Leno for his service to the township. The letter stated that Mr. Leno was a catalyst for getting the historical society started 15 years ago and making the historical society what it is today. Signed Judy Pocock,

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President, Plain Township Historical Society.

PUBLIC SPEAKS

Resident Chris Armstrong, 5939 Linder Circle, presented at the trustees meeting that he has lived at his current address for 3-4 years. He explained that in the last two years, **the Sheriff's Department has** visited his home 46 times, only 2 times was he cited for dog barking. He has had various visits from the health department, humane society and auditors. He stated the he has been accused of being a nuisance by his neighbors for waste, smell and barking. And, he has letters from his neighbors including one dated 10/26 he considers a threat. He explained that he shows the dogs all over the country and takes very good care of them. He says he owns about three acres and his neighbors are not on top of each other. Mr. Haws explained that the township **doesn't have control over some of the departments he** mentioned but that they are looking into the barking complaints and having a business in a residential neighborhood. Mr. Sabo said that neighbors have a right to call the sheriff concerning barking. He explained that the township is investigating his running a business in a residential neighborhood, as shown on his social media. Mr. Sabo says that the investigation is still ongoing and Mr. Armstrong will have an opportunity to make his presentation at a hearing, when the investigation is completed. Mr. Armstrong suggested he may need to call an attorney. Mr. Sabo agreed that it may be a good idea.

Next, speaking as a resident from the floor, Mr. Sabo, 1220 Spangler ave, Canton, OH 44714 addressed Mr. Leno and the board. He spoke of the impact that Mr. Leno has made serving as a Plain Township trustee for the last 24 years, the second longest serving trustee since 1890. On behalf of the residents of Plain Township, he thanked Mr. Leno, and elaborated that Mr. Leno genuinely cares about helping the residents of Plain Township. Mr. Sabo challenge him to think about when he started 24 years ago and how much the township has progressed under his leadership and care. And, he pointed out that his fingerprints will carry-on for a very long time into the future. He **went on to say that the one word to describe Mr. Leno, is 'heart,' and it's evident in everything he does.** He stated that **Mr. Leno's** main priority has always been to help the citizens of Plain Township, even up until his last day as trustee. He even recently asked Mr. Sabo to **finish his last three issues that he's currently working on if they aren't** resolved before the end of the year. On a personal note, Mr. Sabo thanked Mr. Leno (and the board) for giving him a chance twice -to be **the fire chief and then a trustee. He said it's been an honor to work for** and with Mr. Leno.

Sheriff Meyer presented Mr. Leno with a gift and spoke of the township's progress because of **Mr. Leno's heart and concern for the** township. He presented to Mr. Leno an appreciation award from the **Stark County Sheriff's Office, for his service to citizens from 1995** through 2019.

Linda Gambol spoke of working with Mr. Leno for 22 of his 24 years as a Plain Township trustee. She will always remember him and thanked him.

CONCERNS OF TRUSTEES:

1. Communication

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Mr. Haws address Mr. Leno. He began by describing their challenges that evolved into mutual understanding and respect, as they worked together with balance to accomplish what best benefit Plain Township residents. He agreed that Mr. Leno led with his heart, especially his passion and vision for the Plain Townships parks, improving their quality. Mr. Haws is most proud of the collaborative creativity and implementation of the Veterans Park Memorial Site and annual Salute to Veterans. He explained the **it's been Mr. Leno's heart that has helped to resolve resident's issues.** And, his impeccable, hyper-attentive outlook for building grounds maintenance details has been unparalleled. And done in a fiscally responsible manner. Mr. Haws expressed how much he will miss Mr. **Leno's honor, character, integrity, word and solid moral compass.** He is honored to call him friend. Mr. Haws ended by stating that Mr. Leno should be extremely proud of all he has accomplished.

Mr. Leno, then spoke. He said he feels so much love in the room. He recognized all the people who came to the meeting. He said most importantly that he wanted to talk about the township. He praised the professionalism of the **sheriff's department** and the elite group men of fire department. He praised the law officer, the financial, zoning and parks departments. He expressed the respect he has for the elite team of leadership within Plain Township. He spoke of how everyone gives one hundred percent and that their main goal is to serve the residents. He closed with thanking the Lord for his 24 years serving the township and said that the key thing in life is loving one another, your neighbors, your friends. He said he will miss the township team and thanked them for the amazing journey. Everyone in the room stood with a standing ovation.

CONCERNS OF FISCAL OFFICER:

1. None

APPROVAL OF MINUTES:

#19-611

1. December 17, 2019

Motion by Mr. Sabo,

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 10, 2019 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 regularly held meeting December 10, 2019, as presented.

Seconded by Mr. Haws.

Vote: Mr. Haws, yes; Mr. Leno, yes; Mr. Sabo, yes.

ADJOURNMENT:

#19-612

Motion by Mr. Haws,

BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to adjourn at 6:51 p.m.

Seconded by Mr. Sabo.

Vote: Mr. Leno, yes; Mr. Sabo, yes; Mr. Haws, yes.

John A. Sabo
Trustee

Albert P. Leno, II
Trustee

Scott Haws
Trustee

ATTEST: _____
Thomas W. Wolf
Fiscal Officer